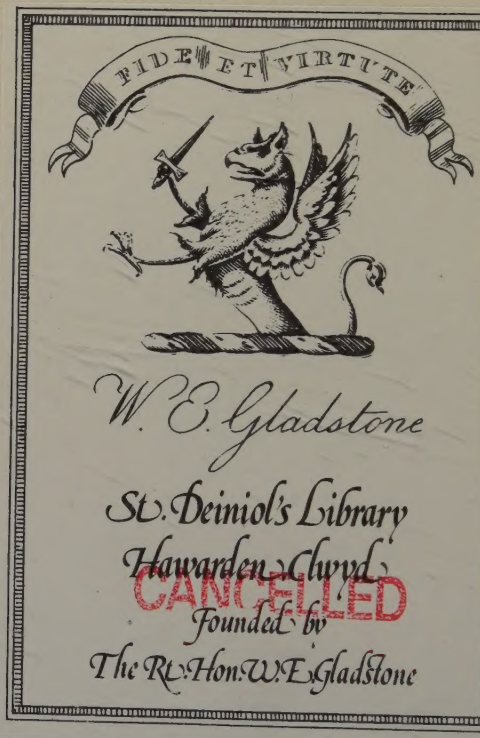

I. 35
e. 15
I
82.5
8

ST. DEINIOL'S LIBRARY,
HAWARDEN.
7/6

Ireland (Church History)

THE REFORMATION IN IRELAND

STUDIES IN CHURCH HISTORY

THE REFORMATION IN IRELAND

A STUDY OF ECCLESIASTICAL LEGISLATION

BY

HENRY HOLLOWAY, M.A., B.D.

LONDON
SOCIETY FOR PROMOTING
CHRISTIAN KNOWLEDGE
NEW YORK : THE MACMILLAN COMPANY
1919

ST. DEINIOL'S LIBRARY,
HAWARDEN.

CONTENTS

CHAPTER		PAGE
	PREFACE	5
I.	INTRODUCTION	7
II.	THE ROYAL SUPREMACY IN ENGLAND	27
III.	REASONS FOR EXTENDING THE ROYAL SUPREMACY TO IRELAND	45
IV.	STEPS PRECEDING IRISH LEGISLATION	54
V.	THE PASSING OF THE ACT OF SUPREME HEAD IN IRELAND	67
VI.	OTHER ACTS ANCILLARY TO THE ACT OF SUPREME HEAD	85
VII.	INCREASE OF THE KING'S AUTHORITY IN IRELAND	95
VIII.	LEGISLATION CONCERNING RELIGIOUS HOUSES; THE GENERAL EFFECTS OF THE ECCLESIASTICAL LEGISLATION OF HENRY VIII	112
IX.	ECCLESIASTICAL LEGISLATION OF THE ENGLISH PARLIAMENT UNDER EDWARD VI AND ITS BEARING UPON IRELAND	126
X.	ECCLESIASTICAL EVENTS IN IRELAND UNDER EDWARD VI	141
XI.	THE IRISH CHURCH AND PARLIAMENT IN THE REIGN OF QUEEN MARY	169
XII.	ECCLESIASTICAL LEGISLATION IN ENGLAND IN THE BEGINNING OF THE REIGN OF QUEEN ELIZABETH	186
XIII.	THE ECCLESIASTICAL LEGISLATION OF ELIZABETH'S FIRST IRISH PARLIAMENT	193
XIV.	THE TWELVE ARTICLES OF THE CHURCH OF IRELAND	220
XV.	CONCLUSION	228
	LIST OF AUTHORITIES USED	234
	INDEX	236

PREFACE

IRISH history is but little known in England, and if a remark once made to the writer be true—there is no country that knows less of its own history than Ireland —it is not too well known in Ireland. This is one reason for the publication of this book. It has not been written with the object of defending any particular theory, or view, of Irish history ; it is mainly concerned with setting out the facts of the subject with which it deals.

An English churchman going to Ireland not unnaturally wonders why the ecclesiastical conditions there are so different from those on "the other side the water." He finds the Church of Ireland geographically covering the country, though only consisting of a small minority of the population, while the majority belong to the Church of Rome. The question arises, Is the Church of Ireland merely an English intrusion into the country, or has she any reasonable claim to her official title ? This question cannot be answered on merely sentimental grounds ; it is only by the knowledge of what actually happened at the period of the Reformation that it is possible to come to a conclusion. Even with this knowledge different conclusions are possible, but conclusions which are not founded upon knowledge are of no value. This book is a fair endeavour, however imperfect, to set out the

facts. The conclusions of the writer, for what they are worth, may be gathered from the last chapter of the book.

I have to thank Professor Lawlor, D.D., of Trinity College, Dublin, and Mr. J. G. Smith, M.A., formerly of University College, Cardiff, for advice concerning books to be consulted. To the latter I owe the note and calculation on page 60. For the dimensions of the Ardagh Chalice, mentioned on page 134, I have to thank Mr. John Ward, M.A., F.S.A., Keeper of the Archaeological Department of the National Museum of Wales at Cardiff, where there is a duplicate of the original, as well as of some other Irish antiquities.

H. H.

CARDIFF, 1919

THE REFORMATION IN IRELAND

CHAPTER I

INTRODUCTION

THE ecclesiastical legislation which took place in Ireland under the Tudors was with a few differences in detail parallel to that of England, though the effects, owing to different political circumstances, were very different in the two countries. In England great changes followed in the religion of the people, while in Ireland the Reformation movement proved a failure, as far as changing the religion of the majority of the population was concerned. In studying this period, it will be helpful to inquire what was the state of the Irish Parliament and of the Irish Church at the time when the reforming legislation commenced. But before definitely coming to this point it will be well to survey some anterior events, which led up to the state of things that prevailed under the Tudors.

Parliamentary development in Ireland, amongst the inhabitants of the Pale, closely followed that in England. Previously to 1295, the great barons assembled in the great Council of the realm, to enact

ST. DEINIOL'S LIBRARY,
HAWARDEN.

laws and to advise the sovereign; these assemblies are often spoken of as parliaments, but they were not representative of the people. In the year mentioned, the first representative Parliament was assembled in England, and in the same year Sir John Wogan was sent to Ireland by Edward I, as Justiciary. In about the year 1297, the new Justiciary summoned the first representative Parliament in Ireland. This consisted of barons and prelates, as had previously been the case, but there were in addition representatives of the ten counties then recognized—Dublin, Louth, Kildare, Waterford, Tipperary, Cork, Limerick, Kerry, Connaught, and Roscommon, and of the five liberties of Meath, Wexford, Carlow, Kilkenny, and Ulster. Each of these counties and liberties was represented by two knights. The records of this Parliament are found in the *Black Book* of Christ Church, Dublin, from which we learn that as well as enacting many useful laws, it dealt with two great evils of the State at that time, namely:

1. The right claimed by the nobles of waging wars among themselves. This was forbidden except by the Justiciary's licence or the King's mandate.

2. The neglect of the barons to guard the boundaries of the English settlements, although they had obtained their estates on condition of doing this. They were ordered to fulfil these duties on pain of confiscation of their lands and castles.

Other parliaments were held by Sir John Wogan in 1310, at Kildare, and in 1311, at Kilkenny. At the last mentioned one, burgesses from the boroughs attended for the first time as well as the knights from the counties.[1]

[1] See Stokes, *Ireland and the Anglo-Norman Church*, pp. 319 ff.

Parliament, however, represented only the Anglo-Norman parts of Ireland. In the districts inhabited solely by the Celtic population the old system of Brehon law prevailed. This system had its origin in pre-Christian days and was in the charge and administration of the order of Brehons, or judges, which had grown out of the Bards. After the Irish became Christians, this system of law underwent redaction, but it continued in use until nearly the end of the reign of Queen Elizabeth. Though the Irish would naturally cling to their traditional usages, there is reason for thinking that, with better management, the whole country might have accepted English law, not unwillingly, long before it did. In 1280 (or thereabouts) the Irish princes petitioned the Crown that the Brehon law system should be abolished and that English law and justice might be introduced throughout the country, and 8000 marks were offered in return for the benefit.[1] In the year 1318, Donald O'Neyl, King of Ulster, and the princes and nobles of Ireland addressed a lengthy complaint to Pope John XXII, about the treatment the Irish were receiving from their Anglo-Norman rulers, in which they asserted that about two years previously several of the nobility had addressed a letter to the King's council, and also to the King himself, through Lord John de Hothom (afterwards Bishop of Ely), requesting that they might hold their land immediately from the King himself, for the sake of peace ; also that he would himself divide the land between them and the Anglo-Norman chiefs, for the avoidance of bloodshed ; but no answer had been obtained. They complained in the same document of several disabilities which the Irish

[1] King's *Primer*, p. 627.

suffered owing to the unfairness and oppression practised by the Anglo-Normans, and to the inequalities of their own legal status. They ascribed their miserable position to the Bull which Pope Adrian granted to Henry II, in 1170, in which they said, that which was *de jure* was utterly disregarded—owing to Anglican prejudices blinding the vision of the pontiff. They further complained that the terms of the Bull were violated by the English princes, because while Henry II had promised to extend the boundaries of the Irish Church and preserve her rights inviolable, to make the people obedient to laws and implant new virtues in the land, and to pay blessed St. Peter the Apostle a pension of one penny annually for every house, on the contrary the territories of the Church were curtailed, cathedral churches were plundered of lands and property, ecclesiastical privileges were for the most part abolished, and bishops and prelates were arrested and imprisoned by ministers of the King of England. The following legal disabilities are mentioned:

(i) While any person who is not Irish can summon at law any Irish person in any sort of action, all Irishmen (prelates alone excepted) are *ipso facto* excluded from commencing any action whatsoever.

(ii) No punishment is inflicted on an Englishman for murdering an Irishman, and the Bishops and clergy of the English race are said to approve.

(iii) Every Irishwoman who marries an Englishman is deprived on her husband's death, simply because she is Irish, of the third part of her husband's landed property and other effects.

(iv) The English, when they have destroyed an Irishman by violent means, seize his goods and do not allow his last will to take effect.

(v) That none except such as are of the nation of the English are admitted into religious houses in the English parts ("in the land of peace among the English"), though it is asserted that the monasteries were founded for the most part by the Irish.

(vi) That Peter's pence was not paid as promised.[1]

After we have made every allowance possible for both the English and the Irish sides, such complaints show that probably the Irish chiefs saw that the only remedy for their grievances was a uniform system of law for the whole population, and that they would have accepted it, had it been offered with the intention of promoting the well-being of the people.

As this, however, was not done, the development of Parliamentary institutions amongst the English and the improvement of their legal system would increase the difference between the two sections of the population, to the disadvantage of the Irish; and as the policy of despising the latter was continued, their hostility would get stronger, while the contempt of the Anglo-Normans increased, with the result that the enmity of both sides would become stereotyped, and the way be paved for further official anti-Celtic action.

In the year 1367, we meet with a piece of such legislation in the Statute of Kilkenny. By this it was decreed that marriage, nurture of infants, and *gossipred*[2] with the Irish, as well as submission to Irish law, should be considered and punished as high treason; that the English must use the English language, names, apparel, and mode of riding; that any English, or Irish resident amongst the English, who should use the Irish language amongst themselves, should be

[1] The complaint is to be found in King's *Primer*, Appendix XIX.

[2] *Gossipred* denotes acting as sponsors.

punished with forfeiture of lands, or imprisonment; beneficed clergymen amongst the English must use the English language; no Irishman should have any Church preferment amongst the English of the land, nor be received into the religious houses among the English.[1]

The object of this Statute was probably to prevent the degeneration of the English, and it contained some beneficent enactments; for example, individual nobles might not make war amongst themselves in time of peace; and there were penalties upon Englishmen who should break truce with the Irish. But it did nothing for the improvement of the latter, and its whole tendency was to accentuate the difference between the two races and to lead the English to despise the Irish, and the Irish to resent the English as oppressors. This Statute was re-enacted by every successive Irish Parliament until the year 1495. Thus, whether its policy succeeded or not, it is plain that the English aimed at carrying it out.

This policy was probably the cause of Celtic countermeasures. There is a Bull[2] of Innocent VIII (dated Feb. 8, 1484) erecting the Church of St. Nicholas, Galway, into a collegiate church under a warden, or *custos*, and eight presbyters, all holding the English rite and order in the celebration of divine service. The Bull states that this step was taken in response to a petition from the parishioners of St. Nicholas, Galway, who were modest and civilized men, dwelling in a walled or fortified town and not practising the same customs as the wild and mountainous people of those

[1] Hardiman, *Statute of Kilkenny* (in *Tracts relating to Ireland*, Vol. II, Irish Archæological Society, 1842).

[2] Extracts of the Bull are given in King's *Primer*, pp. 1169 ff.

parts ; and who were so harassed by outrages of daily occurrence on the vicarage of the said church, that they were unable to hear divine service and receive the sacraments according to the decency, rite and custom of England ; and that they were plundered and murdered and feared more serious evils in time to come, unless means were adopted for providing a speedy remedy.

Galway at this time was inhabited and controlled by the English, and the statements of the Bull show that their Irish neighbours were hostile and acted towards them in much the same way as, according to the complaint of the Irish princes to Pope John XXII, the English acted towards them. It is not quite clear how the course here adopted of turning a parish church into a collegiate one would remedy the grievances of plunder and murder, but it would solve the ecclesiastical difficulty. As it was ordained by the Bull, that the warden and eight presbyters should be " civilized, virtuous, and learned, accustomed to the use of the Anglican rite and system," and that they should be chosen by the Mayor and other municipal authorities, the Anglican rite would be secured. It seems possible that, when the Church was only an ordinary parish church, the vicarage sometimes got into the hands of an Irishman, who would not conform to English customs.

In this struggle between the Celtic and English elements in Ireland, the support of the Popes was chiefly—at least officially—on the side of the English. In the instance just related, Innocent VIII yields to the request of the English party. In the case of the complaint to John XXII, very little seems to have followed for the good of the Irish. The Pope, indeed,

sent a very affectionately worded letter to King Edward II, asking him to remove any causes of grievance, in which he used these words: "that so those Irish people, following more wholesome counsels, may render you the obedience due to their lord, or if (what Heaven forbid) they shall be disposed to persist in foolish rebellion, they may convert their cause into a matter of injustice, while you stand excused before God and man."[1] The rebellion here referred to is the support given to Edward Bruce, who had been sent to Ireland by his brother Robert, whom the Irish had invited into the country in 1315. About the same time that the Pope so wrote to Edward II, he excommunicated all those who had supported the Bruces, including the clergy who had encouraged their people to take part in the rebellion. The Pope's sympathies here were evidently with the English, though it must in fairness be admitted that he requested the King to remove all just cause of complaint that the Irish might have against him, so as to do all in his power to secure their obedience. His words give the impression that he was impelled by conscience to make some plea for the Irish, but was unwilling to take up a line which would offend the King of England.

Another striking instance of the same kind is the Bull of Leo X, in 1515, respecting St. Patrick's Cathedral, Dublin, by which Irishmen are excluded from any position therein. It contains these words: "Furthermore that ancient custom, concerning Irishmen, by nation, manners, and blood, who should not be admitted in the said Cathedral Church of St. Patrick, any royal dispensation notwithstanding; it is agreed that it shall flourish, grow strong, and

[1] Pope John's reply is in King's *Primer*, Appendix XL.

prevail with a vigorous and perpetual care. Furthermore, let diligent examination be made as well by the Archbishop as by the Dean and Chapter, and if any person shall be found defective in these or in any other of the aforesaid matters let him not be admitted, but rather let him be at once expelled."[1] It is thus clear that up to the eve of the Reformation the English party was the one favoured by the Popes.

The Irish Parliament, as has been said, only represented the parts of the country which were inhabited by the English, and the English were frequently on such bad terms amongst themselves that Parliament was liable to become the tool of the various contending factions in turn. Things thus dragged unhappily on until at length Henry VII, whose attention had been drawn to Ireland by the rebellions of Simnel in 1487, and of Warbeck in 1492, tried to make things more settled. He sent over Sir Edward Poynings as viceroy, and through his influence an act known as Poynings' Act was passed by the Parliament of Drogheda, in 1495, by which it was enacted that "no parliament be holden hereafter in the said land (of Ireland) but at such season as the king's lieutenant and council there first do certify the king, under the great seal of that land, the causes and considerations, and all such acts as to them seemeth, should pass in this same parliament; and such causes, considerations, and acts affirmed by the king and his council, to be good and expedient for that land, and his licence thereupon, as well as in affirmation of the said causes and acts as to summon the said parliament under the great seal of England had and obtained; that done, a parliament to be had and holden after this form and effect before

[1] Stokes, *Ireland and the Anglo-Norman Church*, p. 378.

rehearsed; and if any parliament be holden in that land hereafter, contrary to the form and provision aforesaid, it be deemed void, and of none effect in law."[1] This obviously tightened the reins of England upon Ireland, and though it took away the independence of the Irish Parliament, it must be admitted there was something to be said for it; it had long been felt necessary to check the factions of the Anglo-Normans, and as long as they were uncontrolled and could turn Parliament first one way and then the other, some exercise of authority from England was the only effectual means of doing this. There had been previous attempts made in this direction; Edward III, in 1376, had summoned bishops, peers, and representatives of Ireland to meet in parliament in London. Such a Parliament met (the only Union Parliament before Cromwell's time), but very strong protests were made against such an assembly. The records still exist of the replies made to the summons by the Archbishop of Armagh and the County of Dublin.[2] In the reigns of Henry V and Henry VI, the English Parliament asserted the right to make laws to bind Ireland,[3] but the Irish Parliament, in the latter reign, decided against such a claim, and the English Parliament does not seem to have actually legislated for Ireland until the reign of Edward VI.[4]

Poynings' Act was a step in this direction, for, although it did not force any English law upon Ireland, it did prevent the Irish Parliament from even considering anything that was contrary to the will of the English Crown. The claim of England, though not

[1] Richey, *History of the Irish People*, p. 232.
[2] Stokes, *Ireland and Anglo-Norman Church*, p. 341, note.
[3] Ball, *Reformed Church of Ireland*, pp. 348 f. [4] See p. 136.

carried, had its indirect effects, as it predisposed the Irish Parliament in its legislation to follow the lead of England, as there was always the possibility that the stronger country might claim the right of legislating for the weaker, and that she might force her will upon her. Thus, the desire to avoid a rupture would tend to dispose the Irish Parliament to follow, as far as possible, the course taken by England. This may be the reason why the ecclesiastical legislation under the Tudors was so similar in both countries, while the people were so different.

In the time of Henry VIII, the constitution of the Irish Parliament was not materially different from what it had been in the fourteenth century. It still represented only the English race and legislated only for their interests. It consisted of a House of Lords and a House of Commons. No lay Irishmen had as yet been made peers; so the Lords were all English, who either had been made peers by the English Crown, or who had inherited peerages derived from the same source. The bishops and the superiors of twenty-four Religious Houses had also seats. Sir John Davis, who lived in the reign of James I, says that the bishops who "were resident in the mere Irish countryes and did not acknowledge the Kinge to be their patron were never summoned to any Parliament." He also says that "at any time" before 1541, "only the English of blood, or English of birth, were admitted to Parliament in Ireland; as well, because their districts were not then formed into countries, as that the State did not hold them fit to be 'trusted with the councell of the realm.'"[1] The House of Commons was returned

[1] This is reproduced in Ball, *Reformed Church*, pp. 317 f.

from the counties, which were then twelve, namely, Waterford, Dublin, Kildare, Meath, Louth, Carlow, Kilkenny, Wexford, Cork, Limerick, Kerry, and Tipperary.[1] This last county was divided into two, and both parts returned members as if from separate counties. Members were also returned from cities and boroughs in these counties. No members came from any place inhabited exclusively by the Irish, and if an Irishman was elected, he was not allowed to sit. There is no list of names of members attending any Irish Parliament earlier than that of the first year of Queen Elizabeth in 1560, but in the Record of that Parliament, which is in the Record Office, Dublin, there are names of twenty-three Temporal Lords, twenty spiritual Lords, and seventy-six Commons. Between the reigns of Henry VIII and Elizabeth, the number of temporal peers, counties, and boroughs had all been increased; therefore in Henry VIII's time the number of members in the House of Commons must have been less than in 1560, and consequently must have been under seventy-six. In the House of Lords the temporal Peers would also probably be less (that is, under twenty-three), but, on the other hand, the spiritual Lords must have been more, as there were, in addition to the bishops, the superiors of Religious Houses, which were afterwards suppressed. We may then safely infer that the House of Commons consisted of not more than seventy-six members and the House of Lords of not more than sixty-seven, that

[1] The formation of these twelve counties is usually attributed to King John, and Sir John Davis refers to them as the counties existing at and before the Parliament of 1536. Other counties are, however, mentioned in old records, namely, Ards and Down (afterwards united in Down) and Roscommon; Connaught and Ulster were also sometimes treated as counties (Ball, p. 317).

is, twenty-three temporal peers, twenty bishops, and twenty-four superiors of Religious Houses.

There is a point in which the relations between Parliament and Church differed in England and Ireland. In the former country the Convocations of Canterbury and York met with every Parliament. These Convocations voted the supplies contributed by the clergy to the State and consisted of bishops, some Cathedral dignitaries, and representatives of the clergy, called Proctors, who were returned from the various dioceses. There were no such Convocations in Ireland until the reign of James I, but proctors representing the diocesan clergy came with the bishops attending an Irish Parliament, and sat in the House of Commons with the lay members, as accessors and advisers, but it does not seem to have been settled until the time of Henry VIII whether they had a right to vote and were a constituent part of the House or not.[1]

There was probably as little desire for change in ecclesiastical and religious matters in Ireland as in any country of Europe. There seems to have been no such movement as the Wycliffe and the Lollard agitation to foment discontent with the prevailing system. In Irish mediæval history it is only possible to trace two symptoms of anything approaching reforming opinions. One is the case of Fitz Ralph, Archbishop of Armagh (1347–1360), who was highly venerated and received as a Saint by the people. Though born at Dundalk, he was educated at Oxford and was at one time Chancellor of the University there. He uttered strong statements against the friars. There exists a work of his, *Defensorium Curatorum*, from which his opinions may be gathered. He

[1] See pp. 70 ff.

maintained (1) that the Lord Jesus Christ had no love or preference for poverty for its own sake ; (2) that He never voluntarily begged ; (3) that He never taught men voluntarily to beg ; (4) that He taught that men ought not to beg voluntarily ; (5) that no person can with prudence and piety take upon himself a perpetual obligation to voluntary begging. As the result of his teaching he was called to appear before Pope Innocent VI at Avignon, in 1357, and the examination of his case was committed to four cardinals, but before the case was finished he died. He is thought by some to have translated the Bible into Irish. His attack was directed against the abuses and extremes of the friars, rather than against their original ideals ; thus, for example, in his defence before the Pope and cardinals, at Avignon, he complains that the friars are " not like other poor folks, humbly craving alms at the gate or door (as Francis did command and teach them in his testament)."[1] He opposed such things as their practice of extortion and shameless intrusion into people's houses as well as their irregularities in ecclesiastical discipline. Concerning the latter we find him complaining that the friars took it upon themselves to absolve those who were excommunicated for such crimes as wilful homicide, public robbery, and incendiarism. About two thousand people, he says, in his diocese are annually involved in such excommunications, of whom scarcely fourteen in the year come to him, or his penitentiaries, to be absolved and yet are absolved by the friars.[2] There is no evidence that he attacked anything else in the mediæval system except the friars.

The other instance of reforming symptoms is the

[1] King, *Primer*, p. 589. [2] *Ibid.*, pp. 653 ff. ; also p. 1110.

case of Henry Crumpe, a Cistercian monk of Baltinglass. He lived later in the same century as Fitz Ralph, with whom he evidently sympathized. Like him he opposed the friars, of whom he said, they "are not nor ever were instituted by God's inspiration"; he attributes their favour with the doctors of the time to fear "lest their books should be condemned by the friars that were inquisitors of heretical pravity . . . because if they had spoken out the truth plainly on behalf of the Church, the friars would have persecuted them as they did persecute the holy Doctor Armachanus."[1] He was compelled afterwards to abjure these assertions before the Archbishop of Canterbury. He is also said to have written a treatise against the doctrine of Transubstantiation, to which William Andrew, Bishop of Meath (1380–1385), replied.[2]

There is no evidence to show that these two men had any supporters in their reforming sympathies or, if so, that their opinions survived them. It should be noted that both these instances come from the Anglo-Norman section of the Church, which was in close touch with England, where there was controversy about the same subjects. Both Fitz Ralph and Crumpe maintained their controversial opinions in England; the former in a sermon at St. Paul's Cross, London, and the latter at Oxford. The Anglo-Norman Church displayed the same intolerance and persecution towards heresy in Ireland as in England. In the year 1324, a woman of Meath, named Petronilla, was burnt at Kilkenny and was the first person so punished in Ireland. She was a servant of Lady Alice Kyteler, who, as well as a man named William Outlaw, narrowly

[1] King, *Primer*, p. 656.
[2] Stokes, *Ireland and the Anglo-Norman Church*, p. 373.

escaped the same punishment. In 1327, a Leinster man of the O'Tooles' family, named Adam Duff, was burnt at Dublin, for denying the doctrines of the Holy Trinity, the Incarnation and the authority of the Holy See.[1] In 1353, two Irishmen were burnt for heresy by the order of the Bishop of Waterford.[2] It is noteworthy that these instances took place before the passing of laws against heresy and before anyone had been burnt for heresy in England, where the first to suffer such penalty was William Sawtry in 1401. In the reign of Queen Mary, in 1556, it was enacted that the three statutes of Richard II, Henry IV, and Henry V for arresting and punishing heretics should be revived. By the first of these, which was passed in 1388, the King was empowered to send letters patent into all counties authorizing the imprisonment of heretics and the appointment of special inquisitors to examine their books. The second was the statute, *De Hereticis Comburendis*, passed in 1401, in which it was provided that those who were certified heretics by the Bishops, if they did not recant, or if they relapsed, should "be burnt in some conspicuous place." This was the first time the Statute Law of England authorized the execution of those who were ecclesiastically condemned. The third was an Act passed in 1414, ordaining that all King's officers of what grade soever were to aid the bishops in their search for heretics, and to apprehend them, and to make inquisition for them and arrest them, delivering them to the ordinaries within ten days.

It is plain that the persecutions in Ireland already

[1] Stokes, *Ireland and the Anglo-Norman Church*, p. 374; also King, *Primer*, pp. 648 ff. The records of these events are in Grace, *Annals*.

[2] King, *Primer*, p. 652.

referred to cannot have taken place under these laws. In the case of the persecutions of 1353, at Waterford, it seems the Bishop of the place was responsible and that he acted without the sanction of his metropolitan, the Archbishop of Cashel, who afterwards in vengeance made an attack upon him with a group of armed men. In the cases of 1324, it again seems to have been the Bishop (in this case of Ossory) who took action, and after the case was represented at Rome, the Pope sent a brief to the King, asking him to issue an order to the chief governor and other officers of State in Ireland, to assist the Bishop of Ossory and other bishops in extirpating heresy. In 1226 Henry III issued a writ to the Justiciary, ordering that persons who had been excommunicated forty days should be taken in Ireland by a *capias excommunicatum*, upon certificate of the Bishop or Archbishop, as the custom was in England. It seems likely then that, before any statute laws had been passed on the subject, persecution for heresy began in both England and Ireland, as it did in other countries, and that it obtained either the authority or the connivance of the King, and in Ireland, of the Justiciary, and that the extreme penalty of burning was inflicted in Ireland before it was really authorized by law. This argues considerable power in the hands of the Church.[1]

In liturgical matters the Church in the Anglo-Norman parts of Ireland followed practically the same rite as the Church in England, though even in England customs were not uniform. There were various Uses, such as those of Sarum, York, Exeter, and Bangor, of which the most widely used was that of Sarum.

[1] King (following Ware), p. 653; also Note in Grace, *Annals*, p. 107.

In 1542, the Convocation of Canterbury adopted the Sarum Use for saying the Hours throughout the Southern Province.[1] Since this enactment is of late date and refers only to the Hours, and not to the Mass and other Sacraments, it seems likely that there was variety up to the very eve of the Reformation itself. But these Uses were all of one type, namely, the Roman, and the variations were only in minor matters and in different arrangements of the same elements. At the Synod of Cashel, 1172, it was decreed "that all Divine matters shall for the future in all parts of Ireland be regulated after the model of Holy Church, according to the observances of the Anglican Church."[2] It may be questioned whether this was carried out throughout the whole of Ireland, but undoubtedly attempts would be made to carry it out in the Anglo-Norman parts. As the English Use was not fixed in details, similar variations may have obtained in Ireland, though the Sarum Use was, in all probability, the prevailing one. It was most likely first officially adopted in Ireland in the Cathedral of the Holy Trinity (now Christ Church), Dublin, soon after the Synod of Cashel, when Lawrence O'Toole was Archbishop;[3] about the same time, the chapter of the Cathedral was changed from a secular into a regular one of the reformed Augustinian order. About 1220, Henri de Londres, Archbishop of Dublin, made St. Patrick's Collegiate Church into a Cathedral with a secular chapter, and ordered the Use of Sarum to be

[1] Procter and Frere, *New History of Book of Common Prayer*, p. 21.

[2] Giraldus Cambrensis gives an account of this Synod in *Expugnatio Hibernica, Lib.* I, cap. XXXIV, XXXV. See Rolls' series of Giraldus, Vol. V, pp. 280 f.

[3] Stokes, *Anglo-Norman Church*, p. 197.

observed in it.[1] When the two Cathedrals of Dublin, one of which was monastic and the other secular, had both come to follow the Sarum Use, we may well assume that the Archbishop would at least encourage it wherever he had jurisdiction.

Ussher tells us that previous to the English Conquest of Ireland there were various liturgical Uses in the country. These would probably be of the Gallican type of Liturgy, such as was used in Gaul until it was abolished by Pepin the Short, and as was also probably used in the early British Church, and in Scotland until the reforms of Queen Margaret. It may have been that some of the old Uses lingered on, though, as all the Irish Bishops accepted the Synod of Cashel, it is probable that the Anglican (that is, the Roman) Use was introduced largely even in the Irish parts. Monasteries of the Celtic type (though more or less in a state of decay) continued to exist, and some ruins of them are still to be seen, for example, the monastery of St. Molaise, in Innismurray,[2] and one on an island in Lough Ree. It is possible that these monasteries kept their old rules (though perhaps in somewhat modified form) of saying the Divine Office and Mass, long after the secular use had been altered to the Roman type. This would, however, be nothing anomalous, as some monastic orders to this day follow their own distinctive uses; amongst such are the Benedictines and the Dominicans, and the latter were numerous in Ireland.

The manner of appointing bishops was of a nature likely to bring the Irish parts of the Church into line

[1] Ball, *Reformed Church of Ireland*, p. 322.

[2] For an account of this see Stokes, *Ireland and the Celtic Church* p. 184.

with the Anglo-Norman part in liturgical and other matters. By the time of the Tudors it had become customary for the Pope to nominate bishops. True, the English Statutes against appointments to bishoprics by the Pope had been made of force in Ireland, by an Act of Henry VI (32 Hen. VI, chap. 1) ; but notwithstanding this, the Pope continued to nominate until the Supremacy Act of Henry VIII was passed, though he generally considered the King's suggestions, when he thought proper to interfere. In the case of bishoprics within the Pale, the King generally interposed, but beyond the Pale the Pope was left freer to make his own choice. He even continued to nominate in some cases after the Supremacy Act was passed, and his appointments were confirmed by the King, though there is one instance in which he even seems to have made an appointment without the King's confirmation, and that is the nomination of Wall to Clonmacnois.[1] Owing to these appointments made by the Pope the Irish parts would tend to become as Papal as the Anglo-Norman parts of the Church.

[1] Ball, *Reformed Church* p. 322.

CHAPTER II

THE ROYAL SUPREMACY IN ENGLAND

In the sixteenth century almost the whole of Western Europe was affected by the Renaissance and the Reformation. We may call the former a revival of learning and the latter an awakened interest in religion. This awakened interest brought a tendency to question the institutions of religion as they were commonly received, and led to much disputation and unsettlement, both religious and civil. Many people think the Reformation was a movement which calls for thankfulness, and many consider it is to be deplored. But whatever may be our personal feelings, the movement, in its original ideas and intentions, was good and had behind it a desire for truth, even if it resulted in many extravagancies and violent deeds and in some of the countries most affected by it being left more irreligious afterwards than they were before. The Renaissance appealed more to the Latin races than did the Reformation, while the Teutonic races were affected in the opposite manner. The Latin races could turn their eyes back to times long before the Christian era and feel that they had a great past stretching away to the foundation of the city of Rome and, through the connection of their early literature with Greece, even to times far beyond that. Thus, the revival of learning brought afresh to them that

which was best in the pagan world; in the days of pagan Rome there had been a centralized government in that city, and many features of that government had passed over to the Christian Church, in which Rome, the mistress of the Christian world, still held a position similar to that she had enjoyed in the pagan world; consequently there was not much disposition to change the existing ecclesiastical system. It seemed not unnatural, rather it seemed most appropriate, that the city called by Virgil in pagan days *urbs aeterna* should be head of the Christian world. The Teutonic races could not appeal to any such glorious pre-Christian past. Classical studies might be and were undertaken by Teutons, but they had not the same intimate appeal; such studies were about the glories of other races, in which they themselves had had no part. But religion was for them as vital a thing as it was for the Latin races, and although a Church government and system analogous to that of the Roman Empire had not the same appeal, in an age of awakening and inquiry it was natural to examine the origins of religion; and as the call of classical studies was not so great, the Reformation movement was chiefly effective, for better or for worse, in the Teutonic countries.

The Celtic races were neither Latin nor Teutonic and they could not look back to any unified great past, like that of Rome, and we might have expected them, like the Teutons, to have followed in the wake of the Reformation movement. So we find that for the most part they did, as in Scotland and Wales, though in the latter country it was only slowly that the Reformation was generally accepted. This may be due partly to jealousy and dislike of England. Ireland, however,

seems to have stood almost outside the stream of either the Renaissance or the Reformation. The former, indeed, to some extent influenced the house of Kildare and the Desmond relations of the same in the latter years of Henry VII and in the earlier part of the reign of Henry VIII. Gerald, Earl of Kildare, was a patron of art and science and is said to have had in his castle learned students, Italian paintings and good libraries. We have evidence that his fame, as well as that of the Earl of Desmond, reached even to Italy, for Ariosto in his *Orlando Furioso* speaks of both Earls and their squadrons, as well as their standards: the one a fiery pine (*un pino ardente*) and the other a red band in white (*nel bianco una vermiglia banda*).[1]

From this we see that the new movements might possibly have taken root in Ireland. Other chiefs might have been influenced by these Earls and the movements have penetrated from them to the humbler classes; but this did not happen. It is not indeed quite accurate to say, as is sometimes said (for example, in the *Cambridge Modern History*, Vol. III, p. 579), that "the wave of the Renaissance expended its force without touching her shores"; but there is no trace

[1] Orlando, *Furioso Carto*, Stanzas 87–8. See also Morris, *Ireland*, pp. 64 f.

Sono due squadre, e il conte di childera
Mena la prima; e il conte di Desmonda
Da fieri monti ha tratta la seconda,
Nello stendardo, il primo ha un pino ardente;
L'altro nel bianco una vermiglia banda.

The *Annals of the Four Masters*, in recording the death of the Earl of Kildare (Garrett Oge) in 1535, speak of him as "the most illustrious of the English and Irish of Ireland in his time," and say "not only had his name and renown spread through all Ireland, but his fame and exalted character were heard of in distant countries of foreign nations."

that either movement at this time affected the country generally. The isolated geographical position of Ireland may have contributed to this immunity, but the case of the Geralds and Desmonds shows that this in itself is not a sufficient explanation ; so, more probably, the numerous tribal wars, and the spirit which loved fighting for fighting's sake, which those wars had engendered, left little opportunity, or inclination, for the intellectual and religious movements which were stirring in other countries. Again, amongst the Celts the habit of following a leader was stronger than individual initiative, and there was no leader of the reforming movement whom the Irish loved or respected. They can hardly be said to have looked upon the English sovereigns as their real kings. If they had done so and had really loved Henry VIII, or his successors, they probably would have followed their will in regard to religion and other matters. On the contrary, they did not love them but desired to be free from all allegiance to England and smarted under the feeling that they were badly treated ; they were thus thrown on the side of the existing religion. The Pope consequently came to be regarded more strongly than before as their spiritual father, and as such they have followed him and, perhaps of all the people in Europe (taken as a whole), have remained his most loyal children.

If it had not been for the connection with England, Ireland would perhaps have remained quite outside the Reformation movement. But owing to that connection, a series of ecclesiastical legislative Acts took place, closely parallel to those of England, and yet the great majority of the people remained outside the system those Acts were intended to bring about,

and their religious condition has been quite dissimilar to that of England, although under practically the same laws. The starting-point for considering the Irish ecclesiastical legislation of this period can hardly be considered other than the Act of Supreme Head passed by the English Parliament on November 15th, 1534.

The Act is as follows :

"*26th Henry VIII, Chap. I*

"The King shall be reputed Supreme Head of the Church of England. Albeit the King's majesty justly and rightfully is, and ought to be, the Supreme Head of the Church of England and so is recognised by the clergy of this realm in their Convocations, yet nevertheless for corporation and confirmation thereof, and for increase of virtue in Christ's religion within this Realm of England, and to repress and extirp all errors, heresies, and other enormities and abuses heretofore used in the same : Be it enacted by the authority of the present Parliament, that the King our sovereign Lord, his heirs and successors, Kings of this realm, shall be taken, accepted and reputed the only supreme Head in earth of the Church of England, called *Anglicana Ecclesia.* And shall have and enjoy annexed and united to the imperial Crown of the Realm, as well the title and style thereof, as all honours, dignities, pre-eminences, jurisdictions, privileges, authorities, immunities, profits and commodities ; to the said dignity of the supreme head of the same Church belonging and appertaining. And that our said sovereign Lord, his heirs and successors, kings of this realm, shall have full power and authority from time to time to visit, repress, redress, reform,

order, correct, restrain and amend all such errors, heresies and abuses, offences, contempts and enormities, whatsoever they be, which by any manner spiritual authority and jurisdiction ought and may lawfully be reformed, repressed, ordered, redressed, corrected, restrained or amended, most to the pleasure of Almighty God, the increase of virtue in Christ's religion and for the conservation of the peace, unity and tranquillity of this realm, any usage, custom, foreign law, foreign authority, prescription or any thing or things to the contrary hereof notwithstanding."[1]

This Act inaugurated a new era in the history of English religion, and was the first direct step towards the independent course which the Church of England, rightly or wrongly, has pursued since the Tudor period. It cannot be doubted that it is a decisive landmark in the history of that Church. As it forms the point whence the reforming legislation embarked to Ireland, some little consideration should be given to it. The title of "Supreme Head in earth of the Church of England" was never given to the Pope in any legal English document, and therefore it cannot strictly be said that it was transferred from the Pope to the King. The Act was, however, intended to confirm the abolition of the jurisdiction which had been exercised in England by the Popes. The actual facts which led up to the passing of it were rather discreditable than otherwise. Uncritical and superficial readers of history might ascribe it, as well as the ecclesiastical revolution which followed during the succeeding reigns, to the King's desire for a divorce. While this

[1] *Statutes at Large* (English).

desire was probably the main occasion, to consider it as the cause of the Reformation in England or in Ireland is as uncritical and unscientific as is Herodotus, when he ascribes the invasion of Greece by Darius to the desire of Democedes to return home, or as it would be to ascribe the great European war to the assassination of the Austrian Crown Prince at Serajevo. There are always in great movements, whether they are good or bad, deeper causes at work beneath the surface than the actual occasions which produce them, or the occasions themselves would be insufficient to give impetus to the new movements.

The real causes of the Reformation must be found in the circumstances of the times. People were ripening for some kind of change. The fact that in all Teutonic countries there was a break with the past, shows that even if the occasions had been different, a similar break would probably have come about in England. It has previously been remarked why the Teutonic nations embraced the Reformation more thoroughly than did those of the Latin race. In England, though it cannot be said there was as yet any pronounced desire for a doctrinal, or even for an ecclesiastical reformation, there was a wide dissatisfaction with things as they were, and reforming opinions had found entrance into the country and were spreading, and in time this dissatisfaction must have come to the surface, even if there had been no such occasion as the royal divorce. The extreme development of the claims of the Pope may be regarded as another cause. The power of the Pope had reached and passed its zenith, and had already entered upon its declining course. Authority, even if lawfully received, has only to stretch itself too far to provoke

resistance. The authority of the Pope had been increasing, century after century throughout the Christian era, and so far as only authority in spiritual things was claimed, it met with but little resistance in Western Europe; but the Popes began eventually to claim authority in temporal things, and in the fourteenth century both in spiritual and temporal things their claims reached a height surpassing everything that had gone before. In spiritual things we find the highest claims put forth in the Bull *Unam Sanctam* of Boniface VIII in 1302, where it is asserted, "*Porro subesse Romano Pontifici, omni humane creature declaramus, dicimus, et diffinimus omnino esse de necessitate salutis.*"[1] This claim might be interpreted as involving temporal subjection also, if the Pontiff to whom it was necessary to be subject, should claim such power. Earlier in the same year the same Pope, in his Bull *Ausculta Fili*, had claimed power "to pluck down, destroy, and rebuild,"[2] and there are many instances in which the Popes interposed in secular affairs and professed to depose kings and absolve their subjects from their allegiance. Such claims and such course of action must sooner or later have provoked opposition. In this same century, from 1309 to 1377, the Popes were settled at Avignon instead of Rome, and there they and their cardinals were so much under the influence of France, that they became practically a vassalage of the French kings, though still claiming the right to interfere in other lands; and soon after their return to

[1] This is quoted in Puller, *Primitive Saints and the See of Rome*, p. 2. The Bull is in the *Regestum* of Boniface VIII in the Vatican Library.

[2] This is quoted in Hore, *History of the Church Catholic*, p. 475.

Rome, there was the great schism in the Papacy itself. These things disposed the minds of thinking people towards change and helped in England and in other lands to prepare for acquiescence in the overthrowing of the Pope's authority.[1] In England, there had been many steps leading in the direction of that taken by Henry VIII. As far back as the days of Edward the Confessor, the following statement occurs in his laws : "*Rex autem, qui Vicarius Summi Regis est, ad hoc constitutus est, ut regnum et populum Domini, et super omnia, sanctam Ecclesiam regat, et defendat ab injuriosis.*"[2] It may be admitted that this statement is not altogether irreconcilable with an acknowledgment of the Pope's authority, as it might only mean that the King was to rule and defend the Church in temporal things, while the Pope had authority in spiritual things. Such words, applied to a pious King like Edward the Confessor in a somewhat primitive state of society, would sound very different when applied to a monarch like Henry VIII in a much more complicated state of affairs. The words, however, are very strong and are not incapable of development into Henry's claim. True, there is no direct claim that the King is Supreme Head, but the term *Vicarius Summi Regis* does not suggest any higher earthly authority over him, and the Church is specially mentioned as the object of the King's rule and care. At the time of Edward the Confessor, the authority of Rome in England was not oppressively felt ; Roman influence was great, but probably in people's minds there was no definite boundary line between what did and what did

[1] The history of the Great Schism can be read in Creighton, *History of the Papacy*, Vol. I.

[2] This statement is quoted in Ball, *Reformed Church*, p. 12.

not appertain to the Pope's authority. But as time went on, and it became apparent that things were not as they should be, there were many Acts passed to restrain the power of Rome, especially in and following upon the period when the Popes were at Avignon and England was at war with France. Notably there was the Statute of Provisors, in 1351, "which enacted that for all ecclesiastical dignities and benefices the lawful rights of the electors and patrons should be secured, and that preferments to which the Pope had nominated should be forfeited to the Crown for that turn; and that any holders of papal provisions who disturbed or impeached the rightful occupants, duly collated by lawful patrons should be arrested and brought before the Courts of Law."[1]

In the following year, 1352, this Statute was strengthened by an ordinance which declared all those who purchased provisions to be outlaws.[2] Some years later, 1390, another Provisors' statute was passed, which decreed forfeiture and banishment against future transgressors.[3] In 1353, there came the Statute of *Praemunire*, which enacted "that any of the King's lieges who should lodge a plea against any in courts not within the realm, or on matters whereon the King's courts give judgment, should have two months' warning given to them to appear in the King's courts to answer their contempt; and if they do not appear at the proper time, then they, their proctors and attorneys, shall be straightway put out of the King's protection, their lands, goods, and

[1] Quoted from Capes, *History of English Church in Fourteenth and Fifteenth Centuries*, p. 89.

[2] Perry, *Student's English Church History*, Vol. I, p. 409.

[3] *Ibid.*, p. 453.

chattels forfeited to the King, their persons imprisoned during the King's pleasure."[1] This Act did not expressly mention the Pope or his courts, but it was evidently applicable to them, and by another Act in 1365, suitors in Papal courts were distinctly brought under its provisions. *Praemunire* was re-enacted in 1393 in stronger language intended "to prevent encroachments on and usurpations of jurisdiction, as the other was passed for defence of patronage."[2] This was intended to prevent the Pope interfering with the jurisdiction of the King's courts. As the trend of legislation for some centuries was thus in the direction of limiting the Pope's power, the way had been prepared for the still stronger legislation of Henry VIII.

As there were various causes at work tending to lead to a breach with Rome, Henry VIII's affairs provided the occasion. Henry himself was moved to put forward his claim of Supreme Head, not from any desire for a religious reformation, but with the object of securing his own personal ends. As it became evident that the Pope would not recognize his divorce from Catherine as lawful, and consequently his marriage with Ann Boleyn as valid, it was necessary to repudiate the Pope's authority, before Ann could be recognized in English law as lawful queen of England. Before this repudiation could be made by law, it was desirable to procure the assent of the clergy to the claim which was to be put forth, and the King found a means of intimidating them by placing them under *Praemunire*, for having recognized the legatine authority of Cardinal Wolsey. The clergy decided not

[1] Part of the Statute is quoted in Perry, *Student's English Church History*, Vol. I, pp. 409 f.

[2] Perry, *Student's English Church History*, p. 454.

to defend themselves in the King's courts, as they knew it would be useless, but agreed to fine themselves by voting a subsidy. In 1531, the Convocations of Canterbury and York voted large sums (the former £144,000 8s. 8d., the latter £18,840 0s. 10d.) to be paid to the King in five years. This subsidy was signified to the King in a writing, which avoided all mention of a fine, or of a breach of the law, and spoke of the subsidy as an act of gratitude for the many benefits they had received from the King, especially for his defence by sword and pen of the universal Church against Lutheran and other foes.

This, however, did not satisfy the King. Before the subsidy could be accepted, he required the clergy in Convocation to assent to five clauses, of which the tenor was as follows:

1. *Ecclesiae et cleri Anglicani, cujus Protector et Supremum Caput is solus est.*

2. *Quem metum atque periculum rex noster invictissimus a nobis depulit, et curavit ut in quiete et secura pace Deo ministrare, et curae animarum ejus majestati commissae et populo sibi commisso debite ministrare possimus.*

3. *Privilegia et libertates ejusdem* (sc. *ecclesiae*) *quae regali suae potestati et legibus regni sui non detrahant, confirmando defendit.*

4. *Generalem veniam et pardonationem de omnibus eorum transgressionibus poenalium legum et statutorum hujus regni tam caeterorum in tam ampla forma concedere dignetur, quam in isto parliamento suis omnibus subditis* (*statutis de Praemunire nobis adauctis*) *concessa fuit.*

5. *Ita quod omnes laici sint inde onerati.*

These articles were sent to Convocation in February, 1531. The fifth and last of them was easily passed, and

it seems to mean that laymen who should come to hold Church property through vacancies of livings, or such like causes, during the five years the payment was pending, should bear their share of the burden. The second, third, and fourth articles rested upon the first, that the King should be recognized as the only Protector and Supreme Head of the English Church and clergy. This the clergy rejected; although they had voted their money away to satisfy the King, they resisted on what they felt was a point of principle. The King then sent word that they should add the words *post Deum* to *Supremum Caput*. This was evidently a futile concession, because whatever authority the King had or claimed as Supreme Head, could not but be "*post Deum*." This also was rejected. The debate was further continued by Convocation, and finally the Archbishop of Canterbury proposed an amendment, which was accepted in silence and subscribed, with which the King was satisfied. The amended form ran thus:

Ecclesiae et cleri Anglicani, cujus singularem protectorem, unicum et supremum Dominum, et, quantum per Christi legem licet, etiam Supremum Caput, ipsius Majestatem recognoscimus.

Articles 2, 3, and 4 were also amended as follows:

Et curae animarum populi ejus majestati commissi dehinc servire possimus. Summe confidimus quod ejus celsitudo ex sua in Deum ingenti pietate, proque clarissimo fidei Defensoris nomine, quod prae caeteris regibus longe honoratissimun jam olim promerint, Christi fidem et ecclesiam solito zelo contra hereticos et alios oppugnatores potenter defendet. Et ut omnibus et singulis praelatis, clericis, et religiosis . . . generalem gratiam et pardonationem de omnibus eorum transgressionibus poenalium

legum, et statutorum hujus regni, tum ceterorum tum etiam, statutorum de Provisionibus et Praemunire, in tam amplo modo et forma, prout suae Majestati ex solita sua benignitate in subditos suos saepius ostendere placuit, concedere dignetur, nobis ea condonans, quae nobis humilibus suis subditis prodesse, et ab augustiis, quibus versamus, liberare poterunt.

It is to be noted, that in the amendment the first article received a very important qualification: "so far as the law of Christ allows." It must be confessed that this almost empties the phrase "Supreme Head" of all definite meaning, as it may be contended that if the law of Christ does not allow it, the King is not Supreme Head at all; although, on the other hand, it might be urged that the King in exercising his authority over the Church cannot lawfully claim more than the law of Christ allows, and therefore it grants everything he can wish. As for the other articles, the amendment of the second is important; "the care of souls committed to his Majesty and the people committed to him" is altered into "the care of the souls of the people committed to his Majesty." The original form was worded in such a way as to imply that the care of souls belonged to the King, and consequently ascribed spiritual jurisdiction to him, but in the amendment this is so altered as merely to speak innocently of the people committed to his Majesty. The third article in its original form was indefinite. It stated that the King would defend privileges, and liberties of the Church which were not contrary to his regal power, and the laws of his kingdom. It suggested that his regal power and affairs of State might be put before the privileges of the Church, and it might be held to contain the seed of the principle

that the Church is subject to the State. The amendment in very laudatory language expresses confidence that the King will powerfully defend the faith of Christ and the Church against heretics and other opposers. The fourth was amended in such a way as to avoid the implication that the clergy alone had been excepted from the previous general pardon for breach of *Praemunire*, and to make clear that the pardon was now only extended to them and that other offenders were still unpardoned.

Henry acquiesced in the amendments of these various clauses, and thus the way was clearer for legislation. The title of "Supreme Head" was, however, much disliked, and naturally so, as when it was first put forth no explanation of its meaning was given, and it might have been intended, as Tunstall, Bishop of Durham, objected in the Convocation of York, to refer to either temporals, or spirituals, or both. What Henry himself originally meant by it is not easy to determine; he may perhaps have been feeling his way as to how much authority he could secure, while being prepared to disclaim spiritual authority, if necessary. The dislike to the title was so great that the King was led to explain in a letter to Tunstall, that he did not claim authority in spiritual things but that it was "as persons, and as to property, acts, and deeds, the clergy were under the King as head, and that as to spiritual things, as Sacraments, they had no head but Christ." As for the power thus claimed in temporal things, there was nothing in the claim that was new or unrecognized, although the language in which it was asserted was novel and needlessly irritating and capable of misunderstanding. His disclaimer as to authority in spiritual things seems by implication to deny any

authority to the Pope. In face of all the circumstances of the times, the royal divorce and the revolt against Rome in Germany, it seems likely that this was what Henry chiefly had in mind, and that he thought the most effectual way of shutting out the Pope's authority would be to assert his own supremacy.

Before the King secured the title of Supreme Head from Parliament, two Acts were passed which increased his power over the Church and clergy, for which, doubtless, he felt the way had been prepared by the submission of the clergy in Convocation. The first of these was the Act for Restraint of Appeals passed in 1532, and the second the Act of Submission passed in 1533.

Both these Acts increased the King's legal rights over the Church. The former (24 Henry VIII, Chap. 12 (Eng.), A.D. 1532) treated him as "head of the Realm, unto whom a body politic divided by the names of spirituality and temporality were bound to bear obedience." It ascribed to him plenary and whole power and jurisdiction to render and yield justice and final determination to all residents and subjects within his realm, in all causes and contentions occurring within the limits thereof, without restraint or provocation to any foreign prince or potentate. It provided that all causes testamentary, causes of matrimony and divorce, rights of tithes, oblations and obventions (the knowledge of which causes, it declared, by the goodness of the princes of the realm and the laws and customs of the same appertained to the spiritual jurisdiction), should from thenceforth be heard and adjudged within the King's jurisdiction and authority in such courts spiritual and temporal as the nature and qualities of the cases and matters in contention should require.

The Act of Submission (25 Henry VIII, Chap. 19 (Eng.), A.D. 1533) asserted that the clergy had acknowledged that the Convocations always had been and ought to be assembled by the King's writ and that they had submitted themselves to the King's Majesty and promised *in Verbo Sacerdotii* not to enact new Canons, Constitutions, or Ordinances without the King's Assent and Licence; and that they had besought the King that such Constitutions, Ordinances, and Canons as were thought prejudicial to the King's prerogative royal, and repugnant to the laws and statutes of the realm, and over-onerous to the King and his subjects, should be examined by the King and two-and-thirty persons, sixteen of the temporalty, and sixteen of the clergy, appointed by the King himself, and that such Constitutions and Canons, as the thirty-two thought fit, should be abrogated and that the others should stand, with the King's Royal Assent. According to this submission and petition it enacted:

"That the clergy in Convocation (always assembled by the King's Writ) should not put in use, nor make new Canons, Constitutions, or Ordinances provincial, without the King's Assent and Licence under pain of imprisonment, or fine at the King's will.

"That, while it could not be done in the present Parliament, by reason of shortness of time, the King should have power to appoint the thirty-two persons, according to the petition of the clergy, to consider what Canons, Constitutions, or Ordinances should be abrogated, and which should remain in use.

"That no Canons, Constitutions, or Ordinances should be made or used which were contrary to the King's Prerogative Royal, or to the customs, laws,

or statutes of the Realm, anything in the Act to the contrary notwithstanding.

"That such Canons, Constitutions, or Ordinances as were not contrary to the laws and customs of the Realm should remain in use, until they were viewed by the thirty-two persons to be appointed."

All that was involved in the title of "Supreme Head" would now seem to have been secured by statute, but the following year, 1534, saw the passing of the Act of Supreme Head, which has already been given. It is to be noticed, however, that in the Act the qualifying clause adopted by Convocation (*quantum per Christi legem licet*) was omitted. Probably the clergy understood the meaning of the Act to be modified by the clause although it was not expressed, and it is very likely that the King and Parliament withheld its insertion because they felt it was unsuitable language for a statute on account of the vagueness of its meaning.

The rupture between England and Rome was now complete, and the position of the Church of England as separated from Rome secured by law. We have now to consider how the attempts at similar legislation fared on Irish soil.[1]

[1] The history of the passing of the Act of Supreme Head and the events leading up to it, are related in Dixon, *History of the Church of England*, Vol. I, which has been used for this section; a much shorter account is given in Ball, *Reformed Church of Ireland*, Chap. I, which has also been used.

CHAPTER III

REASONS FOR EXTENDING THE ROYAL SUPREMACY TO IRELAND

HENRY VIII himself had no sympathy for the principles of reform which were spreading on the Continent. He abolished the Papal jurisdiction because to do so answered his own purpose. Could he have secured his divorce from Queen Catherine better with than without the Pope's authority, he would probably have continued to uphold that authority; but as he saw this could not be, it was necessary for his own personal ends to bring about a breach with Rome. In England, reforming opinions were spreading, though the unlearned majority as yet probably knew little of them; but intellectual movements always leaven the scholars and the better educated sections of society, before they filter through to the unlearned. The gratitude (already alluded to)[1] expressed by the clergy in Convocation for the King's defence against Lutheran and other foes, shows that such opinions were known in England. The fact of their existence, even if the King himself did not approve of them, might encourage him to hope that his measures against the Pope would have fair chance of success. In Ireland, reforming opinions were not prevalent, and there was nothing in the state of the country to encourage belief that the Acts just passed in England would be the least welcome

[1] See p. 38.

there. True, there are signs which may be taken to indicate that reforming opinions were not quite unknown. We have already noticed for what they are worth the few symptoms that may be traced in mediæval times. At the eve of the Reformation, a few further traces can be found in the time of Henry VII. The *White Book* of Christ Church Cathedral, Dublin, records an Act of a Dublin Parliament of 1493, for the protection of pilgrims visiting the relics at Christ Church. It relates that certain persons maliciously disposed have let and interrupted pilgrims coming to do their devotion, in contempt of Mother Church and to the hurt and prejudice of the Prior and convent, and prescribes as a penalty for any such person a fine of twenty pounds of lawful money to the Prior and his successors. The same *White Book* relates another Act, three years later, by which the Mayor and citizens of Dublin grant protection to the pilgrims, and it is ordered that pilgrims are not to be troubled or arrested.[1]

These Acts show that there was some sort of interference with the pilgrims, and it may be contended that the pilgrimages were objected to on religious grounds, owing to reforming opinions beginning to take root in the country. It is quite possible that some such opinions may have found their way amongst the Anglo-Normans, but these Acts do not amount to a conclusive proof of such a thing as there are other motives than religion for molestation ; such disorders as these two Acts witness to might be due to nothing

[1] These instances are given in Olden, *Church of Ireland*, pp. 290 f. The Acts are 9 Henry VII and 12 Henry VII, and are recorded in Crosthwaite, *Book of Obits and Martyrology of Christ Church, Dublin*, pp. xxiii and xxv.

more than the existence of the lawless element usually found in a town population, which is ready to practise violence for the sake of plunder.

Whatever may or may not have been the popular feeling, there can be no doubt that the veneration of relics had reached an unhealthy stage.

A manuscript printed in the *Book of Obits and Martyrology of Christ Church, Dublin*, gives a list of the chief relics which were believed to be in that Cathedral. The collection here mentioned has so many varied and improbable items, that it cannot be doubted that most of them were spurious. It is consequently one evidence of the need of some reformation. At the head of the list stands the image (*ymago*) of our Lord Jesus Christ crucified, which is twice said to have spoken; it is followed by the staff of Jesus, which an angel is said to have given to Blessed Patrick, and a marble superaltar of St. Patrick, which floated and carried a leper from Britain to Ireland. There are other relics of various saints connected with Ireland, as St. Patrick, St. Columba, St. Brigit, and St. Brendan, which would not be altogether improbable. But there are many others of saints from various parts of the world, as St. Peter, St. Andrew, St. Catherine, St. Clement, St. Lucy, St. Blase, St. Lazarus, St. David, and the eleven thousand holy virgins. There are such wildly improbable ones as a thorn of the crown of our Lord, part of the swaddling clothes in which He lay in the manger, the girdle of the Blessed Virgin Mary, part of her milk, and part of her sepulchre; also part of the stone upon which the Law was given. There are several others besides these here mentioned; in fact there seems to be no class of saint which is not represented, and after all this list, it is asserted that

there are many more innumerable ones, of which it would be long to make special mention.

No one nowadays would doubt but that many, if not most, or all, of these relics were spurious, and it would not surprise us to know that some, even in the fourteenth century, discredited them. The molestation of the pilgrims referred to may have been the result of such suspicions on the part of the more thoughtful coming to the knowledge of the rougher element in the city. But suspicion as to such things as these would not necessarily mean dissatisfaction with the official religion as a whole, though it must be confessed that such forgeries when found out have the tendency to shake people's faith in much greater things.

In 1495, the Acts against Lollards and heretics were authorized by the Irish Parliament.[1] This does seem at first sight to imply that the unorthodox opinions of the Lollards and others had shown themselves in Ireland, though it may have been only a precaution in case they should break out there. As the members of the Irish Parliament were all of English stock, there is nothing surprising in them following the lead of their mother country.

But whatever worth may attach to these instances, as evidence of the growth of new opinions, their witness in any case only applies to the English Pale. As far as the Irish themselves were concerned, there is no evidence that they were ready to welcome any change in the religious state of the country, or any increase of the authority of the English Crown. What considerations and circumstances, then, led the King

[1] King, in his *Primer*, p. 743, gives the following record of 10th Henry VII, cap 31, " Item, that the Acts against Lollards and heretics ben authorized by this p'sent parliament."

to attempt to extend the new English Acts to Ireland? Could he not have acquiesced in a different religious system there? The established religion to-day is different in Scotland from that in England, though both countries are under the same King and Parliament. Could not some similar difference have been tolerated by Henry and the religious state of Ireland left as it was, especially as Ireland was not under the same Parliament as England? We must not, however, look at the past merely through the spectacles of our own time. Toleration is the growth of a later age, which only gained its rights after strenuous conflicts and under the Tudors was not even a subject of thought. Moreover, Henry did not consider that he was setting up a new religion in England and nothing that had so far been done could really be described as a change of religion. No reformation of doctrine had yet taken place, and it is quite possible that the unlearned people of the country still went to Church, to Mass, and to other devotions, just as they had been accustomed to do all their lives, without perceiving any change, though perhaps they may have heard of some quarrel between the King and the Pope, and that the King was carrying things with a high hand. Neither would the King himself consider his quarrel as primarily a religious matter. He considered that the Pope's authority stood in his way, by limiting the power of the Crown. As well as removing this limitation in England, he wished to strengthen his position in Ireland, where, so far, the English kings had not been very real sovereigns. The constant disturbances between the Irish chiefs and the Anglo-Norman lords and the distance of the King from Ireland had militated against his sovereignty being a reality. If the Pope

stood in his way in England, much more would he be a hindrance in Ireland, where the people were less disposed for change, and where, especially now that the English Government was against him, they were likely to honour the Pope more. If the Pope's authority were to be allowed to remain in Ireland, the country might become a rallying point for the discontented in England. Thus the political safety of England could be threatened through Ireland, as not only the Irish and discontented English but also foreign enemies might make her a point of attack upon England. Such considerations lay at the bottom of the Tudor policy of assimilating Ireland as much as possible to England. It could not of course be foreseen how it would turn out, or how far it would succeed, but it was to be attempted. Moreover, the whole drift of the policy of England towards Ireland, ever since the "conquest" of the latter, had been in the same direction, and now that such a measure as the Act of Supreme Head had been passed in England, not to have extended it to Ireland would have been to embark on an entirely new policy.

Moreover, it was claimed that it was not merely a matter of policy and expediency, but a matter of principle that the King should be Supreme Head; it was contended that the Pope's authority was an usurpation, and that the King was only claiming what his predecessors had formerly enjoyed. The English Act of Supreme Head states that "the King's Majesty justly and rightfully is, and ought to be, the Supreme Head of the Church of England." Archbishop Browne, in his speech in the Irish House of Lords,[1] whether rightly or wrongly, said: "Rome

[1] See p. 75.

and her Bishops in the Fathers' days acknowledged Emperors, Kings, and Princes to be supreme over their dominions, nay, Christ's own Vicars ; and it is much to the Bishop of Rome's shame, to deny what their precedent Bishops owned."[1] This, no doubt, represents the view upheld by the King and his supporters, and if it were true, it would have been extremely illogical on the part of the King to allow the Pope's authority to remain in Ireland, while trying to strengthen his position there as sovereign. Again, there was the matter of the King's divorce and his marriage with Anne Boleyn. If the Pope disowned Henry's proceedings and refused to acknowledge Anne as his lawful Queen, and his authority were still allowed to remain over the Church in Ireland, then the Church in Ireland would be unable to acknowledge Anne Boleyn as lawful Queen Consort, and there would be two lawful Queen Consorts in different parts of the King's dominions. This was obviously impossible. Thus political considerations and professed matters of principle (whether sincere or not) made it necessary to claim the same prerogative in Ireland as in England.

Shortly after the legislation concerning the royal authority had been completed in England, political circumstances made the times seem favourable for its introduction into Ireland. The overthrow of Lord Thomas FitzGerald (known as Silken Thomas), who had risen in rebellion, had increased the royal prestige in that country. The King had already shown that it was his ultimate intention to extend the measures passed in England to Ireland. In an indenture between the King and Sir Peter Butler, Earl of Ossory, of

[1] Ball, *Reformed Church of Ireland*, p. 318, quoting Ware, *Life of Brown*.

May 31, 1534, the jurisdiction of the Bishop of Rome is spoken of as usurped and is said to be the principal cause of the desolation, division, ruin, and decay of Ireland, owing to him having preferred unsuitable persons, vile, vicious, unlearned, murderers, and thieves, and that wars and other detestable things have ensued thereby to the derogation of the King's jurisdiction and regality, and the King is said to have willed his deputy to resist with all his power the abused and usurped jurisdiction of the Bishop of Rome. In this indenture the Earl of Ossory promised that he and his son would resist the Pope's provisions with all their power.[1] Here was a plain hint of what was to be expected, although no legislative steps had as yet been taken in Ireland, and it furnished FitzGerald with a plausible motive for his rebellion. Probably his real motive was not religious at all; the murder of Archbishop Alan, which had been committed at his instigation, does not speak well for the sincerity of his religion. His rebellion was probably no more religious than the many risings of Irish chiefs which had been made against England. Often England had been alarmed by rebellion and had tried to pacify the insurgents by rewarding the leader. FitzGerald may have hoped for some such reward, perhaps to be made viceroy of Ireland, and the religious pretext served to arouse his followers, who rallied round him professing to take up the cause of the Pope against the King. His rebellion broke out on June 11th, 1534, and became formidable. The *Annals of the Four Masters* say that he took Dublin from Newgate outwards and completely plundered and laid waste all Fingall from Slieve Roe to Drogheda, and made all Meath to tremble. William

[1] *Carew MSS.*, 42.

Skeffington was sent over as Lord Chief Justice, accompanied by Leonard Gray and a large fleet. They eventually,[1] in March, 1535, took Maynooth, which was FitzGerald's residence and expelled him from his territory. It is related in the *Annals of the Four Masters* that FitzGerald was captured by treachery through the offer of a pretended peace, and being taken to England was made prisoner in the Tower, where he afterwards died.

The success of the English in overcoming this rebellion gave promise that the Irish would now be submissive to the victors. It was followed up by some strong measures against the insurgents. Justice Aylmer writes to Cromwell on December 31st, 1535, that many malefactors had been hanged, especially in County Kildare, where eighteen were hanged at the last assizes. He also says that Irishmen were never in such fear, and the King's sessions were kept in five shires more than formerly.

Now that Ireland was in a state of fear, and knew the failure of its greatest attempt to throw off the English yoke, the King may have felt that the time had come for bringing the country into line with England, with respect to his position as Supreme Head.[2]

[1] Deputy's report of March 26th, 1535, in *Carew MSS.*

[2] The general history is found in Richey, *Short History of the Irish People;* also in Froude, *History of England*, Vol. II (Irish chapter).

CHAPTER IV

STEPS PRECEDING IRISH LEGISLATION

When the King had made up his mind that Ireland, like England, should acknowledge him as Supreme Head, it was necessary to take steps for that purpose. Even if we infer from the two Acts of the reign of Henry VII, already referred to,[1] that reforming tendencies existed in Ireland, such tendencies in any case would be only slight and the King's cause would be less hopeful there than in England. It was necessary, therefore, for Henry to feel his way carefully. In England, he procured the assent of Convocation before bringing in the Act of Supreme Head. There was no Convocation at this time in the Irish Church, and it was to be expected that the clergy would strongly resist his policy. In England, he had made his policy and wishes easier of attainment by appointing as Archbishop of Canterbury, Cranmer, who was ever his ready servant. It would be a great help to him, if he could make a similar appointment in Ireland, and thus obtain an active supporter amongst the clergy.

As it happened, the path was clear for such a step, as the See of Dublin, really the most important in the country, though the primary of honour belonged to Armagh, was vacant, owing to the murder of Archbishop Alan in July, 1534. Henry thus had the

[1] See p. 46.

opportunity of appointing a man likely to serve his purpose. His choice fell upon George Browne, a monk of the Augustinian Order, and its Provincial in England. Strype speaks of him as "a stirring man and of good parts and confidence." He also says he was first noticed by Cromwell and preferred by "his sole means."

Ussher, who is followed by Ware, describes him as a man of a cheerful countenance, who was in his actions plain and downright, to the poor merciful and compassionate, pitying the state and condition of the souls of the people.

The fact that he was made a Provincial of his order shows that he had won the esteem of his fellow-members and at first sight it strikes surprise that he sympathized with the new trend of opinion. Many members, however, of the same order had become affected by the new views, and had broken their vows; for example, Luther himself was an Augustinian. Browne could not have shown any revolutionary tendencies, such as had broken out amongst foreign Protestants, or Henry would hardly have appointed him. He was supposed, however, from certain utterances he had made, to sympathize with the reforming tendencies. Notice had been taken that he had advised people to make application to Christ alone and not to the Virgin Mary and other Saints.[1] His conduct after his appointment shows him to have been thoroughly Erastian, and this trait of character probably restrained him from becoming an extreme Protestant, as he might have done if he had lived a few years later. Had he reached the time of Elizabeth, he might have been amongst the Puritan type

[1] Ware, *Life of Browne*, quoting from Ussher.

of bishops, such as Grindall and others. He was nominated by the King, and the Dean and Chapter of St. Patrick's, Dublin, and also the Prior and Chapter of the Church of the Holy Trinity (now Christ Church) concurred in his appointment. Probably he was not much known in Ireland and the concurrence of the Chapters excites no surprise as the members were English and knew nothing against him to warrant resistance to the King's choice. His consecration took place on March 19th, 1535,[1] in Lambeth Chapel. Archbishop Cranmer was the Consecrator, and was assisted by Fisher, Bishop of Rochester, and Shaxton, Bishop of Salisbury.[2] It is recorded in Cranmer's register that the consecrating prelates delivered to him the Pall. Probably this was still regarded as the *insignium archiepiscopale;* it is, in fact, so described in the register. Hence at this period it was intended to continue bestowing it on archbishops, though it was no longer received from the Pope. Later it came to be held as not essential to the archiepiscopal office, and at the consecration of Parker, in 1559, it was

[1] This is the date as given in Cranmer's Register, but it is really 1536 according to our present computation.

[2] The consecration of Browne is described in Strype's *Memorials of Cranmer*, Book I, Chap. IX, Vol. I, p. 53, and the entry in Cranmer's Register.

NOTE ON BROWNE'S CONSECRATION

The entry in Cranmer's Register is as follows: "*Die Dominica* 19 *die Mensis Martii secundum cursum et computationem Ecclesiae Anglicanae* 1535 *in capella manerii reverendissimi in Christo Patris et Domini D. Thomae permissione Divina Cantaur. Archiepiscopi . . . de Lambeth dictus reverendissimus ac reverendi patres Nic. Sarum et Johannes Roffens episcopi . . . impendebat* (sic) *manus consecrationis venerabili et religioso viro Geo. Browne . . . ac deinde iidem. . . . Reverendi patres tradiderunt ei pallium sive insignium archiepiscopale.*" This entry is reproduced in Dixon, *History of Church of England*, Vol. V, p. 206, note.

no longer delivered, and from that time its use has been discontinued by Anglican archbishops.

It is not an occasion for surprise that the consecration of an Archbishop of Dublin took place in England, or that it was performed by the Archbishop of Canterbury; neither was it unusual. Dublin, being largely a Danish city, had been inclined to look to England for ecclesiastical authority, rather than to the ancient Irish Church, especially as the Normans, who were really of the same race as the Norsemen, held sway in England. As far back as 1074, Patrick was consecrated as second Bishop of Dublin by Lanfranc at St. Paul's, London, and took the following oath of canonical obedience to the Archbishop of Canterbury: "Whosoever presides over others, ought not to scorn to be subject to others, but rather make it his study, humbly to render in God's name, to his superiors, the obedience which he expects from those who are placed under him. On this account, I Patrick, elected Prelate to govern Dublin, the metropolis of Ireland, do offer to thee, reverend Father Lanfranc, primate of Britain, and Archbishop of the Holy Church of Canterbury, this charter of my profession, and I promise to obey thee and thy successors in all things appertaining to the Christian religion."[1]

In accordance with the spirit of this oath, the Bishops of Dublin, as well as of other Danish cities in Ireland, were inclined to look to Canterbury, rather than to Armagh. Eventually, in 1151, Dublin and also Armagh, Cashel and Tuam were made archbishoprics by John Papiro, legate of Pope Eugenius III. This action shows that the authorities of the Roman Church were increasing their power in Ireland, and

[1] King, *Primer*, pp. 421 f.

from shortly after the time of the beginning of the English invasion down to the rupture with the Pope under Henry VIII, the Roman authority was allied with the English Crown, and it was not considered anything abnormal for the bishops of the Danish Sees in Ireland to be consecrated in England.

As Browne was himself an Englishman who was being sent to Ireland, it was natural on this ground that he should be consecrated before going over so that he might arrive there in full possession of his authority as Archbishop. His consecration was duly performed by the aforementioned bishops, according to the Latin rite then in use in England, which was substantially the same as the Roman. The oath of fidelity to the Pope was, of course, not taken, as that had been laid aside in the Church of England. In that Church, a bishop at his consecration, in the times shortly before the breach with Rome, promised canonical obedience to the Archbishop and Metropolitan Church of Canterbury, according to the decrees of the Roman Pontiffs and the Archbishop's rights : "*secundum decreta Romanorum pontificum tuorumque iurium.*"[1] In some copies the above phrase has been erased and in the margin has been inserted "*secundum iura et statuta hujus regni.*" This apparently represents the form of the oath after the passing of the Act of Supreme Head. As Browne was consecrated to an archbishopric, he probably would not take this oath of obedience to Canterbury, but the form of it shows the view of authority under which bishops were now supposed to work, namely, "according to the laws and statutes of this realm." Browne's subsequent conduct shows that he tenaciously held this view.

[1] The whole form is in Procter and Frere, p. 306.

During the same year, the new Archbishop proceeded to Dublin, and preached in Christ Church on the Sunday after St. Andrew's Day. A certain Master Pelles records the occasion and says that "those who favoured the Word of God were very glad of him."[1] By the favourers of the Word of God he, of course, means those who were in favour of reform, as the reformers considered the Word of God and the existing religion to be in opposition. This view was unwarranted, as even if the existing religion were in error, it, at least in theory, held that the Scriptures of the Old and New Testaments were the Word of God. This statement of Master Pelles implies that some of Browne's hearers at Christ Church were in favour of reform. There must have been some such (even if only Master Pelles himself), but they were probably the English officials in Dublin, who were not much liked either by the Irish, or by the Anglo-Norman settlers. The latter by this time from long residence in the country had become largely Irish in sympathy, and had developed a dislike for the English, who were now trying to capture the trade of Ireland for themselves.[2] Before the Government proceeded to legislation, an attempt was made to get the nobility and gentry, and apparently the clergy, to acknowledge the King as "Supreme Head as well spiritual as temporal" by the appointment of a body of commissioners of whom Browne was one. The work of the Commission was apparently to persuade the nobility and gentry to acknowledge the King as Supreme Head; perhaps with the object of preparing the way for the passing of an Act by the Irish Parliament to that effect, or perhaps of avoiding

[1] *Carew MSS.*, Dec. 4th, 1536.

[2] This is upheld in Green, *Making of Ireland*, pp. 123 ff.

the necessity for any such Act. The success, or rather failure, of the Commission can be seen from a letter which Browne wrote to Thomas Cromwell, some months after his consecration. This will be dealt with later.[1]

There is some confusion concerning the dates connected with Archbishop Browne. The letter addressed by him to Cromwell, asking for legislation about the King's supremacy, is dated 1535. Ware gives it as 4 *Kalend, Septembris*, 1535, and in the Harleian Miscellany it is given as 4 *Kalend, Decembris*, 1535. The year is certainly wrong. The date of Browne's consecration is given in Cranmer's register as "*Die Dominica* 19 *die Mensis Martii secundum cursum et computationem Ecclesiae Anglicanae*, 1535." As the years were then reckoned to begin on March 25th, this would really be 1536, according to our present computation.[2] It is obvious, then, that Browne's letter, written after he had been consecrated and had spent some time in Ireland, could not possibly have been written in either September or December, 1535. It is clear that Ware, or someone through whom the letter has been transmitted, has made a mistake and that the year should be 1536. This being established, was the letter written 4 Kalends September (i.e. August 29) or 4 Kalends December (i.e. November 28th)? Either date would suit the facts as known to us, but the later date seems the more likely. Browne

[1] See pp. 63 ff.

[2] That the year was really 1536, according to our present computation, can be proved by calculation. A friend has assured me that the 19th of March fell on Sunday in 1536. It may be noted that the phrase "*secundum cursum et computationem Ecclesiae Anglicanae*" denotes that the Church of England now dated events by the civil method and not by the years of the reigning Pope, as in such a year of such a Pope, as had been the case before the breach with Rome

arrived at Dublin on Saturday, July 15th, 1536,[1] with a certain Mr. Body. If he wrote on August 29th he could not have spent much time in the strenuous labours of the Commission, which his letter implies he had done; while if he had spent four months in the work, his letter might quite naturally follow on November 28th. Also, it may be noted, the letter is dated from Dublin, and the Archbishop is known to have been in the city about that time, as on the Sunday after St. Andrew's Day, 1536, as Master Pelles tells us, he preached his first sermon in "Cree Church."[2] At neither the earlier nor the later date was Parliament actually sitting, so far as can be gathered from the dates of the printed Irish Statutes. It was not sitting between August 19th and September 15th, 1536; it is therefore possible that the letter was written in this period and that the sitting beginning on September 15th considered the Archbishop's request; but on the 28th of the same month Parliament was prorogued until the 20th of the following January. It is, however, more likely from what is known of the sittings of Parliament that the later date is the correct one. If the letter were written on November 28th the length of time between that date and January 20th would be reasonable for the transmission of the letter to Cromwell and for other business relating to the assembling of Parliament, whereas in the case of the earlier date the time between August 29th and September 15th is very short for such

[1] Hamilton, *Calendar of State Papers* (Ireland), p. 21.

[2] *Carew MS.*, December 4th, 1536. It seems strange that, having arrived in Dublin in July, he did not preach in his Cathedral till December. Possibly Pelles may have been mistaken. It might have been the first time he heard the Archbishop preach and he may have mistakenly thought it was his first sermon there.

purpose. There were several sessions of Parliament in 1537: January 20th to February 6th (1536 old style); May 1st to May 8th; July 20th and 21st; and October 13th to December 20th. The Act of Supreme Head was most likely passed in the last session. The Act relating to proctors is said to have been conveyed into Ireland with a view to being passed by the Parliament in July, 1537.[1] If this is correct, it is clear from the order of events, that the passing of the Act of Supreme Head must have been later, and consequently in the October-December session. In the *Annals of the Four Masters* to the year 1537 are assigned new laws and statutes relating to a heresy and error sprung up in England. It thus seems clear that the reforming legislation belongs to the year 1537; if this is correct Browne's letter must belong to the year 1536; and from the order of events it is more likely that its actual date was November 28th than August 29th. The dates of the sessions of Parliament are those given in the published Irish Statutes of 1765. These must be received with caution, as the edition is not very thorough.

As Browne was not consecrated until March 19th, the commissioners could not by August 29th have spent very much time in their work, as the Archbishop does not seem to have reached Dublin until July 15th. By November 28th he would have spent a little over four months upon the work of the Commission, and even this would not be sufficient under the circumstances of those times, to travel over the whole country and urge effectually the King's supremacy. But probably the efforts of the commissioners were confined

[1] King, *Primer*, p. 1192. He refers to Mant, but does not give any further authority.

to the Pale, which was only very small at this period, and to some of the English cities nearest to it. Spenser in his *View of the State of Ireland* says that the Pale in his time only extended from Dundalk to Dublin. Although he refers to a period which was roughly speaking about fifty years later, it is probable that in Henry's time it was of practically the same extent. Small though it was, it included part of the diocese of Armagh, and this will account for the opposition of Cromer, Archbishop of that See, who, as will be seen later, resisted the King's wishes.[1] We may also infer that Browne made the carrying out of this Commission one of his first works after his consecration. If Master Pelles is correct in what he says in the letter already referred to, he must have set about it before he even preached in his Cathedral.[2]

Browne's letter to Cromwell contains much information in a small compass. In it the object of the Commissioners is thus given: "To procure the nobility and gentry of this nation to due obedience, in owning of his Highness their supreme head as well spiritual as temporal," and he professes that for this object he "hath endeavoured almost to the danger and hazard of this temporal life." This may either mean that his work was so disliked that plots were made against his life, or that he had worked so hard and under such difficulties as to endanger health. The latter is the more likely meaning, as he speaks of being "almost" in danger of temporal life. If he had known of any designs upon his life, he would probably have said so plainly. He shows that notwithstanding his efforts he has not succeeded, as he speaks of having found much oppugning, especially from his brother Armagh,

[1] See below and pp. 64 f. [2] See p. 61.

who he says "hath withdrawn most of his suffragans and clergy within his See and jurisdiction," and hath laid a curse on the people who should own his Highness's supremacy, "saying that Ireland belongs to none but to the Bishop of Rome, and that it was the Bishop of Rome's predecessors gave it to the King's ancestors." The reason here alleged to have been assigned by Cromer against Henry's claim is more political than theological or religious. We might have expected him to put forth the claims of the Pope as the successor of St. Peter, if he believed in those claims in the fullest development they had yet reached. Instead of this we find him referring to the grant of Ireland made to Henry II by Pope Adrian IV. It may be that Cromer, while fully accepting the claims of Rome, thought it more expedient to base his opposition to the Commission on political grounds. It was really for political reasons that Henry was claiming to be Supreme Head, and Cromer very likely felt it would be expedient to meet his claim on his own grounds, as if to say: you desire to abolish the authority of the Pope in Ireland, but whatever authority the English Kings have here was given them by the Pope; as if to suggest: it is therefore less consistent here than in England to abolish the Pope's authority. In the Bull of Adrian IV to which Cromer referred, the Pope made the following claim: "It is beyond all doubt, as your highness acknowledgeth, that Ireland and all the other islands on which the light of the Gospel of Christ has dawned, and which have received the knowledge of the Christian faith, do of right belong and appertain to St. Peter and the Holy Roman Church."[1] This

[1] The Bull of Adrian IV is in Giraldus Cambrensis, *Expugnatio Hibernica*, Book II, Chap. V, Rolls series, Vol. V, pp. 317 ff.

claim rested upon the *Donation of Constantine*, in which it was asserted that the Emperor Constantine bestowed upon Pope Silvester the sovereignty of Italy and of the West. Ireland was not part of the Roman Empire, and was therefore not Constantine's to give. Nevertheless the alleged grant furnished a slender basis for Adrian's claim, but the whole story is now admitted to be a forgery. Cromer may have believed it, but his argument was none the less untenable because, although the Pope had granted Ireland to Henry II by a Papal Bull, such a grant could give no King *de facto* possession of a country which was under other rulers, until he won it for himself by conquest or some other means. As Henry VIII had repudiated the Pope's authority and was admitted, though insecurely, to be Lord of Ireland, Cromer's assertion did not meet the actual facts of the case. There is irony in Irish history, connected with the changes of Henry VIII. In 1172, the Synod of Cashel, by which the Anglo-Norman as well as Roman interests were furthered in Ireland, had decreed that " it is right and just that as by Divine providence Ireland has received her Lord and King from England, she should also submit to a reformation from the same source."[1] This was exactly the principle acted upon by Henry VIII and Archbishop Browne, in applying the English anti-papal measures to Ireland. It is not clear that the decrees of Cashel entered into their considerations, but they certainly did apply the principle used at that Synod in the papal interests, against those very interests which they were intended to promote.

Browne further reports in his letter that two messengers had lately been sent to the Bishop of Rome

[1] Giraldus, *Expugnatio Hibernica*, Book I, Chap. XXXV (Rolls series), Vol. V, p. 283. See also note on p. 231 of this work.

" by the priests of Ardmagh and by that Archbishop." He does not say what they were sent for, but he evidently means to imply that it was to report what was being attempted in Ireland, and perhaps for the purpose of taking advice. He then requests that a Parliament be called " to pass the Supremacy by Act, for they do not much matter his Highness's Commission which your Lordship sent us over." He then speaks of the ignorance of the people of the island, which he ascribes to the Romish orders; he also complains of the secular orders, and says, they are " not able to say Mass, or pronounce the words, they not knowing what they themselves say in the Roman tongue." He also reports that it is feared O'Neal will be ordered by the Pope to oppose the Royal Supremacy and that the natives " are much in numbers within his power." His remarks about Latin are probably incorrect, as the alleged inability of pronunciation may merely have been that the Irish pronunciation of Latin differed from the English, a not unlikely circumstance. There is, moreover, evidence to show that Latin was widely known in Ireland. Campion, an Englishman and one who was not in sympathy with the Irish, writing of Irish schools, which he seems to despise, says: " Without any precepts or observation of congruity they speak Latin like a vulgar language, learned in their common schools of Leachcraft and Law."[1] It is then very unlikely that the priests would not understand Latin.

From Browne's letter it will be seen that he failed in his attempt to get the King's Supremacy recognized in Ireland, and apparently having no hope of success, he asked that the matter be settled by Parliament.

[1] This quotation from Campion is given by Mrs. Green in *The Making of Ireland*, p. 250, who also takes the view here given.

CHAPTER V

THE PASSING OF THE ACT OF SUPREME HEAD IN IRELAND

As we have seen, Parliamentary action had been asked for by Archbishop Browne, contrary to the wishes of the majority of the Irish people or clergy. The *Annals of the Four Masters*, in speaking of the year 1537, give some idea of how the actions of the King and Parliament were regarded by the Irish. True, some allowance must be made for the fact that the *Annals* were not compiled until between the years 1632 and 1636, that is, about a hundred years later than the events they are recording, and by that time the compilers would be in a position to know much about the progress of the Reformation which could not have been known in 1537, and they would probably be inclined to ascribe everything in that movement of which they disapproved to the circumstances which served as its immediate occasions. Still, they probably do not unfairly express the mind of the Irish who were contemporary with the events under consideration. Their description is as follows : " A heresy and error of a new sort [sprang up] in England, through pride, vainglory, avarice, and lust, and through many strange sciences, so that the men of England went into opposition to the Pope and to Rome. They at the same time adopted various opinions and the old

law of Moses in imitation of the Jewish people ; and they styled the King the chief head of the Church of God in his own kingdom. New laws and statutes were enacted by the King and council according to their own will." This brief statement is the only notice the *Four Masters* take of the legislation and other events of the Reformation in Ireland, except that they record the persecution of the religious orders and the destruction and plundering of certain churches and monasteries. The brevity of the notice shows how far apart the actual legislation and reformation stood from the main stream of Irish life. The work of destruction which ensued would, of course, touch the Irish much more closely.

If we accept this account as something like a correct statement of the views of the Irish of those days upon the events of their own times, they regarded the claim of the King of England as religiously a heresy and politically a piece of pride and lust of power. The comparison of the changes introduced by the English with the adoption of the law of Moses sounds to us very strange ; Protestants are now more likely to accuse Catholics, on account of the ceremonies practised by them, of imitating the Jewish Law than that the charge should be made in the contrary direction. But perhaps the meaning of the charge was that the Church in the kingdom of England was being made a local independent self-contained Church ; and by the time of the *Four Masters* there was some excuse for this view, as may be seen from Article XXXVII of the Church of England, which speaks of the " prerogative . . . given always to all godly Princes in holy Scriptures " . . . to " rule all estates and degrees committed to their charge . . . whether they be Ecclesiastical

or Temporal."[1] This principle had been acted upon in such a way as to imply that the Church in England had no obligations to the Church in other lands. Also various states, notably those of Germany, seemed to have elected to be examples of the principle "*cujus regio, ejus religio.*" Parliament eventually met to do what Archbishop Browne had requested, but there are grounds for doubt as to the actual date. According to the printed Irish Statutes, Parliament was sitting at Dublin from May 1st, 1536, to May 31st. There were subsequent sessions on July 25th and 26th at Kilkenny; on July 28th at Cashel; from August 2nd to 19th at Limerick; from September 15th to 28th; from January 20th to February 5th, 1537; from May 1st to 8th; on July 20th and 21st; and from October 13th to December 20th; the last five were all at Dublin.

As the year was then reckoned to begin on March 25th, the January and February dates in the Statutes are given as 1536, but they were really 1537 according to our present computation.

It has been thought by some (for example, by Ball in his *Reformed Church of Ireland*) that the first of these meetings of Parliament on May 1st, 1536, was held in answer to the request made in Browne's letter. But this view considers the letter to have been written in 1535. But as Browne was not consecrated until March 19, 1536, this is impossible. It is a somewhat unprofitable task to try to reconcile a lot of conflicting

[1] The XXXIX Articles were adopted by the Synod of the Church of Ireland in the year 1634, the time of the *Four Masters*. The same claim, however, was asserted in slightly different language in the 5th of the XII Articles of the Church of Ireland, adopted in 1566. See p. 224.

dates; but according to what has been said above[1] (assuming the dates of the sessions of Parliament given in the Statutes to be correct), it is here suggested that the sessions from May 1st, 1536, to September 28th of the same year, had all taken place before the Archbishop's letter was written and that they were not directly concerned with the Act of the King's Supremacy, but with other business. Is it at all likely that, for the consideration of such an important matter as the Supremacy, Parliament would have met in such remote places as Cashel and Limerick? If the letter was written in November, 1536, Parliament was not then sitting, and it may well have been, as has been suggested before,[2] that it was reassembled, for the purposes of passing the Royal Supremacy, on January 20th, 1537, and that the subsequent sessions throughout the ensuing year, which were all in Dublin, were concerned with this and kindred Acts. The subject is still further confused because the Acts are not numbered in the order in which they were passed, and all the Acts of this Parliament, whether passed in 1536 or 1537, are referred to the latter year, because in that year the roll of its transactions was completed. It is clearly proved that the numbering does not follow the true order, because the Act of Supreme Head is Chapter V, while the Act relating to the proctors, which manifestly preceded it, is Chapter XII.

In this Parliament, the question arose whether the Irish proctors had the right to vote. Up to this time, and indeed until 1615, there was no separate Convocation of Clergy in Ireland, as there was in England. Bishops and abbots of religious houses had seats in the House of Lords, and these, as in England,

[1] See p. 69. [2] See pp. 61 f.

had the right to vote. Along with the bishops came proctors, representing the clergy of the dioceses, to sit in the House of Commons. It does not seem to have been settled up to this time, whether these proctors had really the right to vote, or whether they were merely there as advisors. The claim to a vote was not unreasonable, as they represented the clergy and had seats in the House of Commons, and if they had no votes, was not their presence merely an empty formality? On the other hand, Ireland was supposed to follow England in its legal institutions, and if it did not, the sooner, according to English ideas, it was brought into line, the better; and in England there were no proctors in the House of Commons, and the members of Convocation who were representatives of the clergy could not vote, as such, in Parliament. So that, if the proctors had the right to vote, the Church would have greater power in Irish legislation than she had in England. This was plainly inconvenient for the King's party at this time, as it seemed likely that the votes of the proctors would be against the measures that were to be introduced. Perhaps in previous times their position had been left unsettled, as it did not matter much which way they voted. But now that matters of great importance were involved and they claimed the right to vote, the thing was more serious. The spiritual lords in the Upper House had "made a general answer that they would not come in nor debate upon any Bill until they knew whether the proctors in the Convocation had a voice or not."[1]

Probably their object was to obstruct by delay the

[1] Quoted from King, p. 689, who refers to *Irish State Papers*, Hen. VIII, Vol. II, Part III, p. 437.

impending legislation. No doubt the efforts of the commissioners had taught them what to expect. The proctors were probably only about seven or eight in number, and the members of the House of Commons somewhere about a hundred. The proctors' votes alone could not have defeated any measure. Hence the greater probability that the spiritual peers raised the settling of this point as a means of delay, hoping perhaps that it could not quickly be settled. The Lord-Deputy, with the help of counsellors, tried to convince the peers that the proctors had no votes. This either failed to satisfy the bishops, or else the Lord-Deputy desired to dispose altogether of the possibility of this question being re-raised, for he wrote to Thomas Cromwell, the King's agent in ecclesiastical affairs in England, and urged the necessity of settling the matter. On the principle apparently that the Irish Parliament must do as it was told by England, a Bill was drawn up and sent over to Ireland, which made it clear that whether the proctors previously had had votes or not, they were not to have them henceforth.

This Statute is entitled " An Act against Proctors to be any Member of the Parliament." It is numbered Chapter XII, 28 Henry VIII, though it obviously preceded the Act of Supreme Head, which is Chapter V. The Act recites that at every Parliament in the land two proctors of every diocese were accustomed to be warned to attend, which were " never by order of the law, usage, custom, or otherwise any member or parcel of the whole body of the Parliament nor have had any right of voice or suffrage in the same but only to be there as counsellors or assistants and upon such things of learning as should happen in controversy to

declare their opinions" much as the Convocation of England is commonly at every Parliament begun and holden by the King's special licence. Having thus defined, rightly or wrongly, but at least doubtfully, what their past position had been (it should be remembered the Bill was sent over from England), it proceeds to accuse them in their present state of being of ambitious minds and desiring to have authority and to intermeddle with every just cause and of presuming to take upon themselves to be part of the body of Parliament; it also says that this is thought to be by procurement and maintenance of their superiors who desire to stop the devilish abuses and usurped authority and jurisdiction of the Bishop of Rome ("by some men called the Pope") as also their own abuses from coming to light and knowledge lest some good and godly reformation thereof might be had or provided. This assertion of the Act supports the views given above that the spiritual lords had raised the question of the proctors' status with the purpose of obstructing the proposed legislation. It also shows that some sort of reformation was being contemplated. It also suggests that there was a desire to cease applying the title of Pope to the Bishop of Rome. After this recitation the Act enacted that the proctors were no part of Parliament; that their agreements and opinions were not necessary; and that acts and provisions established without their consent were good and effectual, in that or any other subsequent Parliament, any laws or customs to the contrary notwithstanding.[1] Whether the recited statements of the Act were true or not, it cannot be doubted that the enacting part is plain enough and that by it any

[1] *Irish Statutes*, Dublin, 1765, Vol. I.

supposed or devised right of the proctors to vote was effectually ruled out.

This Bill was passed by the Irish Parliament, though it does not appear why the spiritual lords, who were more in number than the temporal, did not throw it out. They could probably have done so, even if all the temporal peers had voted against them. Perhaps they felt that the King and his party were determined to have their way by one means or another, and that as they had gone so far as to draw up a Bill in England, any resistance would be useless. Perhaps also they felt that, in spite of their previous opposition, it was only a minor point, as the proctors were but a small number in the House of Commons, and their votes alone could not turn the scale. They may also have felt that they had no strong case for resistance, as they themselves had already allowed the right of voting to be undecided. Now it was practically decided for them by the Bill from England. Their submission, it is true, does not show any very strong, fair-fighting resistance to the English policy, but, however surprised we may be that they passed the Bill, it only comes to the same thing as the question, why did they subsequently pass the Act of Supreme Head? They could have rejected that. As they passed a measure of such importance, it is not surprising that they passed the comparatively unimportant Act concerning the proctors.

The question of the proctors being thus settled, steps were taken to have the King acknowledged by law as Supreme Head of the Church of Ireland. There was not much difficulty as regards the House of Commons. When the proctors were excluded from voting, the votes were all lay and also all English.

The members would therefore be disposed to follow the lead already given them by England, which was no new policy on their part. On May 17th, 1536, we find Justice Brabazon writing to Cromwell and telling him: "the Commons House is marvellous good for the King's causes, and all the learned men within the same be very good."[1] In the Upper House, however, things were not so easy, as the spiritual peers formed a majority over the temporal, and Lord Gray and Justice Brabazon say: "they sought an occasion to deny all things that should be presented to the Upper House, where they were the most in number."[2]

Archbishop Browne pleaded for the passing of the Act. His speech in the House of Lords, or a summary of it, is preserved in Ware's *Life of Browne*, and is as follows:

"My Lords and Gentry of this his Majesties realm of Ireland, Behold your obedience to your King is the observing of your God and Saviour Christ; for He, that High Priest of our souls, paid tribute to Cesar (though no Christian); greater honour surely is due to your Prince his Highness the King, and a Christian one: Rome and her Bishops in the Fathers' days acknowledged Emperors, Kings, and Princes to be supreme over their dominions, nay, Christ's own Vicars: and it is much to the Bishop of Rome's shame, to deny what their precedent Bishops owned: therefore his Highness claims but what he can justifie, the Bishop Eleutherius gave to Lucius the first Christian king of the Britains; so that I shall without scrupling vote his Highness King Henry my supreme over ecclesiastical matters as well as temporal, and

[1] *State Papers*, Vol. II, p. 316. [2] *Ibid.*, Vol. II, p. 438.

Head thereof, even of both isles England and Ireland, and that without guilt of conscience or sin to God: and he who will not pass this Act, as I do, is no true subject of his Highness."

Apart from its Erastian character, which is evident to anyone, this is a most unsatisfactory appeal in a matter which could not but touch the consciences and religious views of his hearers. As far as the words of the speech are concerned, true religion consists in obedience to the King: "your obedience to your King is the observing of your God and Saviour Christ." It is surprising that any bishop could make such an unqualified assertion. Charity urges us to hope that the report of the speech is only a summary, and that perhaps Browne meant that obedience in *this* matter was right and so was the observing of God and Christ. Notwithstanding, from many of Browne's arguments it is plain that he was perilously near making obedience to the King the foundation of religion. One can only hope he had not thought out all the consequences of such a belief, and that he used such arguments as he thought would further his objects, hoping that what the King wished might be amicably brought about; as there is no doubt that to come into collision with the power of the King in those days was a dangerous thing. He was singularly weak in his argument in favour of obedience to the King, namely, that Christ paid tribute to Cæsar; as there is no comparison between paying tribute to Cæsar and acknowledging Cæsar to be Head of the Church. His assertion that bishops in the Fathers' days acknowledged Emperors, Kings, and Princes as supreme over their dominions and Christ's own Vicars is too general to carry weight. While it is true, that

after the conversion of Constantine, the Roman Emperors tended to assume authority in spiritual things and sometimes ecclesiastics deferred to such authority, especially if it suited them, it is also true that such authority was resisted when attempts were made to carry it too far. For example, Hosius, Bishop of Cordova, writes to Constantius, bidding him not to intrude himself into ecclesiastical matters nor to give commandment to the bishops concerning them but to learn them from themselves; he also claims that while God has put into the Emperor's hands the kingdom, He has entrusted the affairs of His Church to the bishops, and warns him against taking upon himself the government of the Church lest he should become guilty of a great offence.[1] This is a fair sample of the attitude of the leaders of the early Church towards the Emperor, and it does not bear out Browne's assertion.

But Browne gives one specific instance in proof of his assertion, and that is, that Eleutherius (Bishop of Rome, A.D. 177–90) gave such power as Henry claimed to Lucius (otherwise Llewr Mawr), the first Christian King of the Britons. The whole story concerning Lucius is probably fictitious, but at this time it was considered genuine, so Browne was acting in good faith. According to the story a correspondence passed between Eleutherius and Lucius in which the former spoke of a King as being *Vicarius Dei* (cf. with this, the statement in the laws of Edward the Confessor, previously quoted).[2] In this respect Browne's argument went some way towards proving his point, especially as the other bishops, no less than himself,

[1] Robertson, *History of the Christian Church*, Vol. I, p. 420.

[2] See p. 35.

believed in the genuineness of this story. Perhaps this carried some weight with them, especially if they desired to avoid a rupture with the King.[1]

Browne, believing this story in its fully developed

[1] We may review the evidence for this story, as it is not uninteresting in itself. It had been held in England since the time of the Venerable Bede, that the Christian Faith was sent to the Britons by Pope Eleutherius in response to a request of Lucius, the British King. Bede's account is in Book I, Chap. IV of his *Ecclesiastical History*, and is as follows: "*Anno ab incarnatione Domini C^mo L^mo VI^o Marcus Antoninus Verus XIIII ab Augusto regnum cum Aurelio Commodo fratre suscepit; quorum temporibus cum Eleuther vir sanctus pontificatui Romanae ecclesiae praeesset, misit ad eum Lucius Brittaniarum rex epistolam, obsecrans, ut per ejus mandatum Christianus efficeretur; et mox effectum piae postulationis consecutus est; susceptamque fidem Brittani usque in tempora Diocletiani principis inviolatam integramque quieta in pace servabant.*" It is to be noted that nothing is here said about any letters from Eleutherius to Lucius, and that neither the rank of *Vicarius Dei* nor any other title is ascribed to the King. All that the King is said to have received is the Christian Faith. The rest of the story, even if this much be true, is plainly of later growth; but we may seriously question whether even the brief statement of Bede can be relied upon as trustworthy. He lived about five hundred years after the alleged event. There can be no doubt about his sincerity and his desire to record the truth, but we may reasonably ask where he got this information. Gildas, who is his usual authority for British Church History, says nothing of this story, though if it be true it must have been known in his time (A.D. 560). No British testimony to the story is known before Nennius, who lived in the ninth century, and is therefore later than Bede. He writes as follows: "*Anno Dominicae Incarnationis CLXIV* (or CLXVII and CXLIV in some MSS.) *Lucius Britanicus Rex cum universis regulis totius Britanniae baptismum susceperunt, missa legatione ab imperatoribus Romanis et a Papa Romano Evaristo: Lucius agnomine Llewer Mawr, id est, Magni-Splendoris, propter fidem quae in ejus tempore venit.*" Here we find the story more developed than in Bede's version; all the Princes of Britain are now said to have been baptized, and though nothing is as yet said about any letter being sent to Lucius we are told a legation was sent by the Roman Emperors (manifestly impossible) and the Pope, whose name is wrongly given as Evaristus. We find the source of Bede's account, however, in the *Catalogus Pontificum Romanorum*, written in A.D. 530, in which we have this statement about Eleutherius.

"*Hic accepit epistolam a Lucio Britanniae Rege ut Christianus efficeretur per ejus mandatum.*" As Bede uses some of these very words there can be no doubt that this is the source of his information. But this catalogue of 530 is not the original but only a later

form, had no scruple about voting that the King was supreme over ecclesiastical matters as well as temporal, and head thereof in both England and Ireland, "without guilt of conscience or sin to God"; and

form of one written soon after the year 353, which, though it gives the name and length of the pontificate of Eleutherius, does not contain the story. It seems therefore to have originated between these two dates, 353 and 530. As this on a moderate estimate only brings the story to a period about 200 years after its alleged occurrence, it is probably false, and is now generally so regarded. It is possible, however, that there is some truth in it. Between the dates mentioned, the missions of Germanus and Palladius had taken place in Britain, and there may have been a genuine British tradition, which these missionaries heard while in the country and which they afterwards transmitted to the continent and which eventually reached Rome; though if this was so, it is strange no British testimony to it can be found earlier than Nennius. But whether there is any truth in the story or not, the form it had reached by Browne's time is evidently the result of a spurious growth, which can be clearly traced. After Nennius it appears again in the *Liber Landavensis* (twelfth century), where we have the following statement: *Anno ab Incarnatione Domini CLVI^to^ Lucius Britannorum rex ad Eleutherium duodecimum apostolicae sedis Papam legatos suos misit, implorantes juxta ejus admonitionem ut Christianus fieret, quod ab eo impetravit.* This is evidently based either on Bede's account or on his source, the *Catalogus Pontificum Romanorum;* the date agrees with Bede, though we are here told that legates were sent to Eleutherius, whereas in Bede we are only told of a letter being sent, though as the letter would require a bearer the accounts are not really contradictory. (We may in passing note that Eleutherius is spoken of as the twelfth Pope; this is his place in the list of Popes, if we reckon them to begin with Linus and not with St. Peter.) William of Malmesbury goes further than Nennius and gives us the names of two very holy preachers, whom he says Eleutherius sent into Britain, namely, Phaganus and Deruvianus. More circumstantial details appear in Geoffrey of Monmouth and the Welsh Triads. No mention of the letter of Eleutherius to Lucius is found earlier than the *Liber Custumarum*, a work probably compiled in the reign of Edward II, in which the full story, along with other spurious Welsh legends, is found attached to the laws of Edward the Confessor. The story is thus seen to be the result of a gradual growth extending over seven centuries, which started from an idea existing in Rome in the sixth century of the conversion of a British King, which may possibly have had some truth in it, but which more probably was mere legend. The evidence for this story may be seen collected together in Stubbs, *Councils and Ecclesiastical Documents*, Vol. I, pp. 25 f.; also Note in Plummer, *Baedae Opera*, II, p. 14.

we may quite well believe him to have been sincere, though his speech ends with something like defiance : " He who will not pass this Act, as I do, is no true subject of his Highness." His hearers might not believe as he did about the ecclesiastical matter under consideration, they might not be convinced by his argument, but still, if they would not act as though they were, they were disloyal to their King. Such was his conclusion. What is the use of Parliament, what is the function of conscience, if there is no alternative between voting as the King wishes and being disloyal ? To have the possibility of being considered a traitor and of being treated accordingly hanging over one's head was in Tudor times a most serious matter, which few except those who were endued with the spirit of martyrdom would be likely to incur for a light reason. The possibility of this consequence may have influenced the bishops to yield. If they appear to have acted weakly, we must remember, in extenuation of their conduct, that at this time, the issues between the jurisdiction of the Pope and the Royal Supremacy were not as clearly seen as they were afterwards in the days of Elizabeth. When two definite and distinct sides had been formed, many were ready to be martyrs for the cause of the Pope, as part of their religion ; though the question was so much complicated with affairs of the State, that those who on the one side were held to be martyrs for religion, on the other were held to be criminals guilty of treason ; but this cleavage had not yet become really manifest ; so naturally both Lords and Commons would go as far as they could to avoid incurring the charge of treason.

Whatever were the considerations that moved the

Lords, whether they were partly convinced by Browne's reasoning, or were intimidated by the prospect of treason, or swayed by any other motives, they did eventually pass "An Act authorizing the King, his heirs and successors to be Supreme Head of the Church of Ireland" (28 Henry VIII, chap. 5), which is as follows:

"Like as the King's Majesty justly and righteously is and ought to be the Supreme Head of the Church in England, and so is recognised by the clergy and authorised by an Act of Parliament made and established in the said realm; so in like manner of wise, forasmuch as the land of Ireland is depending and belonging justly and rightfully to the Imperial Crown of England, for increase of virtue in Christ's religion, within the said realm of Ireland, and to repress and extirp all errors, heresies, and other enormities and abuses heretofore used in the same: be it enacted by the authority of this present Parliament that the king our sovereign lord, his heirs and successors, kings of the said realm of England, and lords of this said land of Ireland, shall be accepted, taken, and reputed the only Supreme Head on earth of the whole Church in Ireland, called *Hibernica Ecclesia*, and shall have and enjoy annexed to the Imperial Crown of England, as well the title and style thereof, as all honours, dignities, pre-eminences, jurisdictions, privileges, authorities, immunities, profits and commodities to the said dignity of the supreme head of the same Church belonging and appertaining, and that the said sovereign Lord, his heirs and successors, kings of the said realm of England and lords of this said land of Ireland shall have full power and authority to visit, repress, redress, reform, order, correct, restrain and amend all such errors,

heresies and abuses, offences, contempts and enormities whatsoever they be, which by any manner spiritual authority or jurisdiction ought to be reformed, repressed, ordered, redressed, corrected, restrained or amended most to the pleasure of Almighty God, the increase of virtue in Christ's religion, and for the conservation of peace, union, and tranquillity of the land of Ireland; any usage, custom, foreign laws, foreign authority, prescription, or any other thing or things to the contrary, notwithstanding."

There was an additional provision which was not in the English Act, providing that if the King appointed any persons to visit according to the Act, no such persons in visiting any house or monastery should cause any process money to be taken, but only convenient meat, drink, and lodging for themselves, their company, servants, and horses, and that for infringing this provision the penalty should be the forfeiture of four times the value of what was taken, of which one-half should go to the King and the other half to any persons who should sue for the same by action of debt.

This Act makes the position of Supreme Head of the Church a matter of principle, as it claims that the King "justly and righteously is and ought to be Supreme Head." As said before,[1] this claim, if made at all, could not consistently be waived in Ireland. The Act is of the same import as the corresponding English one, and, as will be seen by comparing the two, follows for the most part the same words, but adds additional reasons for enacting the King's Supremacy in Ireland, namely, that the Royal Supremacy is established in England, and that the land of Ireland depends upon the English Crown.

[1] See pp. 50 f.

This puts the Irish Parliament in a not very dignified position. It would seem to make it a machine for passing such Acts as had passed in England, so long as the royal pleasure so determined. There is much in the Act to offend the religious sentiments not only of the adherents of the Pope, but of others also; because, although it does not expressly define the sense in which the King is Supreme Head, it claims that his authority extends to spiritual things, as it is claimed for increase of virtue in Christ's religion and the extirpation of heresies, and it enacts that the King shall have full power, etc., to amend errors, heresies, and other abuses "*which by any manner* spiritual authority or jurisdiction ought to be reformed." Probably most of those who at the time favoured the Reformation were ready in their opposition to Rome to support the authority of the monarch, because it was against the Pope; but nowadays many who do not belong to the Church of Rome consider that these words claimed for the King more authority in spiritual things than rightly belonged to him. We cannot wonder that the bishops were originally opposed to the Act; the wonder is rather that they passed it at all. One is inclined to think with Leland[1] that fear moved some to allow the Act to pass, while they were not really convinced by the arguments brought forward. It is sometimes claimed (for example, by King in his *Primer*, p. 692) that "what the King chiefly contended for was civil and temporal jurisdiction." Possibly this may be true, but the wording of the Act leads us to doubt whether Henry would have been satisfied by any such limited explanation. Civil and temporal jurisdiction is not mentioned in the Act while

[1] Referred to in King, *Primer*, p. 691.

spiritual authority or jurisdiction and that of any manner is clearly asserted, and even King, while upholding the royal Supremacy as really being in accordance with ancient Catholic laws, admits that to the ancient Supremacy this Act " added important visitatorial powers," " which would seem to belong more properly to the jurisdiction of the ecclesiastical authorities."

CHAPTER VI

OTHER ACTS ANCILLARY TO THE ACT OF SUPREME HEAD

THE Act of Supreme Head legally secured the principle of the Royal Supremacy, and by implication, though not expressly, it nullified the jurisdiction of the Pope. There were certain other Acts passed by the same Parliament, which were expressly directed against the power of the Pope, and which showed more particularly what the Royal Supremacy meant in practice. One was the statute entitled "An Act of Appeals" (28 Henry VIII, ch. 6). This recited that divers good and wholesome laws and statutes had been made in England for the annulling and taking away appeals in spiritual cases to the Bishop of Rome; and also for the great speed of justice and taking away of delays, charges and expenses of such appeals; and that the land of Ireland was the King's proper dominion of England and united to the Imperial Crown, and that the Crown had sufficient power of itself to render justice, without appeal to foreign prince or potentate. On these accounts it forbade any persons, subjects or residents of Ireland, to pursue appeal, or any manner of process, to the Bishop or See of Rome, or to any other claiming authority from the same, under pain of *Praemunire* made in the realm of England in the sixteenth year of Richard II. Appeals were now to be

taken to the King of England and Lord of Ireland, his heirs and successors, or to his " lieutenant, deputy, justice or other governor " in his court of chancery in the realm of England, or land of Ireland. The King of England, or the chancellor, or the keeper of the great seal for the time being, was to grant a commission to some discreet and well-learned persons of the land of Ireland, " or else in the realm of England," for final determination of all causes.

It will be observed that in this Act the land of Ireland is said to be part of the dominion of England, and that the Crown has sufficient power to render justice in all causes ; these claims are exactly consonant to those made in the Act of Supreme Head. In chapter 8 of the same Parliament we have " an Act of First Fruits " (28 Henry VIII, chap. 8), which required that all persons nominated to any ecclesiastical preferment should pay to the King one year's profits of the same. Three years before a similar act had been passed in England, entitled " An Act for the Non-Payment of First Fruits to the Bishop of Rome," in which power was given to the Crown to nominate to vacant bishoprics, and the dean and chapter of a vacant See were bound, under severe penalties, to elect the person so chosen by the King. The Irish Act did not contain these provisions for the nomination of bishops, but it followed the English one in enacting that the King should have first fruits, revenues and profits for one year of archbishoprics, bishoprics, archdeaconries, deaneries, prebends, parsonages, and vicarages, of whosever foundation patronage and gifts they belonged. Before actual possession, any who were promoted to these offices had to satisfy, pay or compound, or agree to pay these annates to the King's use, on reasonable

days and on good surety. The reasons given for this enactment are the English Act of 26 Henry VIII, chap. 3, and the decay of the King's revenues in the land of Ireland. There were also regulations for examining the true value of the first fruits by the Lord Chancellor, the Master of the Rolls and the Under-Treasurer, or any two of them, who were to limit reasonable days for payment upon good sureties by writings obligatory. Writings obligatory were not to cost more than eightpence, nor an acquittance more than fourpence. There was a clause to the effect that all the provisions of the Act made in England for payment of first fruits were to be in force in Ireland. This may possibly have meant that the whole English Act, including the provisions for the nomination to bishoprics, was to hold good in Ireland, or it may only have been meant to cover the matters concerning the actual payment of first fruits. The Act did not expressly mention the payment or non-payment of the first fruits to the Bishop of Rome, but it enacted that first fruits hitherto paid to others should be paid to the King only. The last clause enacted that upon the voidance of a benefice the King was to find a priest to serve the cure of souls, out of the profits, until one should be admitted. These Acts, both the English and the Irish, illustrate the rapacious nature of the Tudor policy. If the King were moved solely by the desire for "the increase of virtue in Christ's religion," why did he transfer to himself, and not to the Church, these payments which had hitherto been made to the Pope? What genuine title had he to one year's profits of spiritual offices? To have ceased to demand them would have been a means of proving the sincerity of his policy. But instead of so doing the profits still had

to be paid, only they were now to find their way into the Royal Exchequer. Again, why should not the deans and chapters of dioceses have been allowed some freedom in electing bishops, instead of being formally allowed or forced to elect the King's nominee? It was not the freedom of the Church that Henry desired, but the security of his own power. As Supreme Head it was necessary for him to have bishops who would serve him and forward his policy. The Church was too great a power to be allowed freedom in the choice of its own officers. It would not perhaps have been wise, or practical, in those days to have allowed the Church uncontrolled freedom in electing bishops, but some liberty of action, subject to the King's approval, might surely have been permitted, even saving the rights of the Supreme Head.

That the Royal Supremacy was intended to abolish completely all authority exercised by the Pope is shown by "an Act against the authority of the Bishop of Rome" (28 Henry VIII, chap. 13).

This Act was of a very violent and drastic nature. It declared that the Pope's power was pretended, and that by it Christ had been excluded out of His kingdom, and temporal kings and princes out of their dominions, and that, because divers seditious "impes of the said Bishop of Rome whispered and inculcated his authority," it was necessary to exclude such foreign pretended power and to forbid under penalties of *Praemunire* (16 Richard II) the extolling or maintaining by writing or by any Act, of the authority of the Bishops of Rome hitherto used in the kingdom. Justices of assize and peace were to inquire concerning offences against the Act, and to certify presentment into the King's bench within forty days after, if term

were open ; and if it were not open, the first of the next forty days, on pain of £40. Inquiry was to be made at visitations concerning such ecclesiastical persons as offended, who, if they were found culpable, were to be committed to gaol, or let to bail, or else their sureties were to appear before the King and counsel. The penalties for those convicted were those of *Praemunire* (16 Rich. II). Visitors who did not certify about offenders were liable to a penalty of £40.

Every person, spiritual or temporal, suing livery,[1] restitution, or ousterlemain[2] of the King ; everyone having office, see or room of the King ; every religious person at profession or entry into religion ; everyone taking orders ; everyone taking degrees in any university within the land, was to take an oath which was described as follows : " that he from henceforth shall utterly renounce, refuse, relinquish, and forsake the Bishop of Rome, and his authority, power, and jurisdiction ; and that he shall never consent nor agree that the Bishop of Rome shall practise, exercise, or have any manner of authority, jurisdiction, or power within the land, but that he resist the same at all times to the uttermost of his power ; and that from henceforth he shall accept, repute, and take the King's Majesty to be the only Supreme Head in earth of the Church of England and of Ireland ; and that to his cunning, wit, and uttermost of his power, and without guile, fraud, or any other undue means he shall observe, keep, maintain, and defend the whole effects and con-

[1] Livery is the act of giving or taking possession.

[2] Ousterlemain (*amovere manum*) signifies a writ or judgment granting the livery of land out of the sovereign's hand on the plea that he has no title to it ; also delivery by a guardian of land to a ward on his coming of age.

tents of all and singular Acts and Statutes made and to be made within this land in derogation, extirpation and extinguishment of the Bishop of Rome and his authority, and all other Acts and Statutes made and to be made in reformation and corroboration of the King's power, or Supreme Head in earth of the Church of England or of Ireland and this he shall do against all manner of persons, of what estate, dignity, degree or condition they be, and in no wise do or attempt, nor to his power suffer to be done or attempted, directly or indirectly, anything or things privily or apertly, to the let, hindrance, damage, or derogation thereof, or of any part thereof, by any manner of means, or for any manner of pretence: and in case any oath be made, or hath been made, by him to any person or persons in maintenance, defence, and favour of the Bishop of Rome, or his authority, jurisdiction, and power, he repute the same as vain and annihilate, so him help God, and all saints, and the holy evangelists." Refusal to take this oath was high treason. Notwithstanding all this strong language against the Bishop of Rome, the Act provided that the ceremonies and decent orders used in the Church should not be prejudiced thereby, and that such canons as were not repugnant to the King's laws and prerogative might still be used in the name of the King only, until order were given to the contrary, "according to the laws of England," and also that dispensations previously granted, which were likewise not repugnant, should still be in force.

The drastic nature of this Act is probably due to the state of things outside Ireland. Since the defeat of FitzGerald, Ireland had been quiet, but in England, in 1536 and 1537, the Catholic party had risen against

the King. In Lincolnshire and in the North, there had been risings in October, 1536, and in the North again in January, 1537. These risings were on account of religion. Reginald Pole had been appointed Papal legate and had received five pastoral letters from the Pope, one of which approved the fidelity of the English, in taking up arms for the truth. The Pope had already (III Kalends, September, 1535) issued a Bull of excommunication against Henry, though it was not made public until 1538. Possibly some rumour of this, or of some such impending step, had come to the knowledge of the King and Government. The Pope had by this Bull set himself, as well as his adherents, against the King. There was thus ground for fear of renewed rebellion in Ireland and that the rebels would have the support of the Pope. Hence the severity of this Act was in view of what might happen. Whatever might be said for it on political grounds, the bishops were placed by it in a most unfortunate position as far as their spiritual influence was concerned. They were required, under penalty of a heavy fine, to become administrators of a penal Act of Parliament; on their visitations they were to examine suspected offenders against the Act and commit them to gaol, or arrange other legal process. This would not dispose people to accept them as spiritual pastors, and so far as they followed Browne's example and endeavoured to carry out the Act and considered its administration one of their chief duties, their spiritual office would tend to become obscured. It is not surprising that the Reformation made practically no progress in Ireland. The method by which it was sought to forward it was one of the best ways of killing it.

" An Act for the Twentieth part " (28th Henry VIII,

chap. 14) still further increased the royal exchequer. By this the twentieth part of the profits of all spiritual promotions was to be paid yearly to the King for ever. This was the main provision of the Act, though it contained in all seventeen paragraphs, mostly relating to the circumstances of the payments. The Chancellor was to direct commissioners to inquire concerning the yearly value of the said profits in every diocese, and to certify the whole value, with any allowable deductions, into the exchequer. The bishops were to levy the charges in their dioceses, by church censures, or distress, and pay them yearly to the receiver general. When a bishopric was void, the dean and chapter were chargeable for the execution of the Act. Those who did not pay were to be deprived. (By a later Act, 15 Charles I, the penalty was altered to the forfeiture of treble value). Sections XIV, XV, and XVI of the Act granted certain privileges to the Dean, "Edward Basnett," and Chapter of St. Patrick's, Dublin, such as the remittance of hosting,[1] roode,[2] viage, or journey. On account of its order and service St. Patrick's was extolled as the only lantern and light of any godly or ecclesiastical rule or order within the land.

From this we may suppose that the cathedral staff was loyal to England, and that it was probably anti-Irish.

The King is said to have sent a letter of thanks to the Lords spiritual for this grant.[3] He was a most amiable monarch to those who pleased him! Archbishop Browne, in a letter to the King, defending himself against charges made against him, claimed

[1] Hosting signifies the gathering of an armed host.

[2] Roode is a measure of land.

[3] King, *Primer*, p. 686, though he does not give his authority.

to be the first spiritual man who moved this Statute and also that of the First Fruits.[1]

The English policy is well illustrated by the Act for the English order, habit, and language (28 Henry VIII, chap. 15). By this, spiritual promotions were to be given " only to such as could speak English, unless after four proclamations in the next market town, such could not be had." Also English schools were to be established in the country, and every clergyman should be bound by oath to " endeavour to learn and teach the English tongue to all and every being under his rule, and to bid the beads in the English tongue, and preach the Word of God in English, if he can preach." This was only a continuation of the policy of anglicizing Ireland, which had been attempted with little success for centuries. In view of the repeated defection of the English settlers to Irish habits and manners of life, by which the English influence and authority in Ireland were continually weakened, there was something to be said on political grounds for all means which tended to preserve the prestige of England, but as a means for promoting " increase of virtue in Christ's religion " the Act may be pronounced vicious. It permitted Irishmen who did not know the English tongue to receive spiritual promotion, if no one with knowledge of English could be found, but it was on condition that they endeavoured to learn and teach the English tongue to all under their rule. Such enactments witness that the Government considered it more important to anglicize than to provide for the progress of religion, and the pastors of souls were to be agents in this policy. To learn the English language and try to teach it to *all* under

[1] See p. 98.

their rule, would be a task that many Irish priests simply could not do without neglecting their duties as priests. By the Act suitable Irish priests might be passed over for unsuitable ones, simply because they did not know English. The Irish who might be preferred, if they were to be loyal to the Act, would run the risk of being considered unpatriotic by their parishioners and of losing their influence with them. Again, if preaching and teaching were to be in a language only at the best imperfectly understood by most of the people, knowledge of religion must be impaired. Even a matter like the King's supremacy might have had a better chance of being understood and accepted if explained in the language of the people. Perhaps, however, the Government thought that the more they understood it, the less likely they would be to acquiesce !

CHAPTER VII

INCREASE OF THE KING'S AUTHORITY IN IRELAND

THE effect of the legislation dealt with in the last chapter, was not so great as might have been expected, considering the drastic nature of the Acts which were passed. Except in name the inhabitants of the greater part of the country were not really subjects of the English Crown. Their real governors were either the native chieftains or the Anglo-Norman lords, who had become very largely Irish in their manners and sentiments. The English Government had had difficulty during the whole period of its connection with Ireland in preventing the English settlers from adopting Irish manners. This suggests that the Irish modes of life were not so barbarous as they are often supposed to have been, and that they had some attractions and advantages which influenced the Anglo-Norman settlers to adopt them for themselves. Ireland before the Danish invasions had been one of the most cultured nations in Europe, and it is not at all impossible, notwithstanding the Danish and intertribal wars, that some effects of that culture remained until the Anglo-Norman period and influenced the new settlers in the country.

Even if this were not so the settlers may have found it advantageous to adopt Irish manners, so as to be better able to live on terms of understanding with the

natives. The more they assimilated themselves to the Irish, the more would they tend to become independent of England, and to try to become independent lords would be a temptation too strong for many of them to resist. The English section of Ireland in the Tudor period was even smaller than it had previously been as the Wars of the Roses had reduced the population of England by drawing numbers of the men away; consequently there was less interest taken in Irish affairs, and there were fewer people available for colonization. Even the Pale itself, small though it was, was by no means all English. Patrick Finglas, Baron of the Irish Exchequer, writing in 1515, speaks of only four shires obeying the King's laws, Meath, Louth, Dublin, and Kildare, and of these he says: " all the King's subjects of the said four shires be near hand Irish, and wear their habits and use their tongue, so as they are clean gone and decayed." Eighteen years later, in 1533, a Mr. Deythyke writes from Dublin and speaks of the shortness of meat in Dublin because of nightly robberies and says " the country is so quiet " (presumably said ironically) that people " dare not ride one mile out of town to buy any manner of victuals." This shows that even the Pale itself was in a disordered condition; consequently even there the Acts of the anglicized Parliament in Dublin would have but little chance of being respected. In the same year, a State Paper signed by two Archbishops, the Bishop of Meath, the Grand Prior of Kilmainham, the Abbots of St. Thomas, St. Mary's, and Louth, Lord Trimbleston, and three judges says that the English order, tongue, or habit is not used nor the King's laws obeyed more than twenty miles in compass; the inheritors of the land of the English have

admitted Irish tenants; that English lords and gentlemen instead of keeping retinues of English yeomen as formerly, now keep horsemen and knaves; that the liberties of the temporal lords are prejudicial to the King and weal of the land and that by their abuse the King had lost the obedience and strength of the inhabitants.[1]

Under such conditions as are revealed by these witnesses, it is not likely that the legislation of the Irish Parliament had much effect. The passing of new Acts was nothing to the greater part of the people, as they were living in defiance of the official English Government in Dublin. The number of Irishmen who had any official position was but small, perhaps none as far as the genuine Irish race was concerned, and therefore only very few would be called upon to take the oath of supremacy. As far as the Irish were concerned the legislation was practically that of a foreign authority, which they did not recognize. Attempts were made to have the royal supremacy and the abolition of the Papal jurisdiction recognized in the Pale, and in this cause Archbishop Browne seems to have displayed much activity and energy. No attempts were as yet made to preach a doctrinal reformation in Ireland. No such thing had as yet been done in England, and Browne was not the man to try to move in advance of, or contrary to, the royal will in such a matter. In the latter country new views were spreading and unofficially there was a certain amount of preaching and writing tending towards reform. Certain steps had been taken, which suggested some modifications of the prevailing system. English

[1] The three instances here mentioned are in the *State Papers* of the years concerned, 1515 and 1533.

translations of the Bible had been placed in churches and certain images and pictures relating to feigned miracles had been destroyed ; but with the exception of the Papal jurisdiction, the doctrines of the Church were officially the same as they had been all through the King's reign. Browne advocated such measures as had taken place in England, though he does not seem to have satisfied the King. This may be seen from a letter of the King to him, dated July 31st, 1537, in which he speaks of the zeal and affection in setting forth and preaching the sincere Word of God and avoiding of all superstition, as well as of the diligence to procure the good furtherance of the royal affairs which he showed before his promotion to the order of Archbishop, and contrasts it with his present conduct and charges him with not instructing the people in the Word of God and with not furthering the royal affairs. He exhorts him to amend in these two respects and hints that if he does not he may be removed from his office. Browne replied in somewhat obsequious language to both these charges that he had endeavoured more than his predecessors for many years to declare " the only Gospel of Christ, persuading and inducing the hearers unto the true meaning of the same, utterly despising the usurped power of the Bishop of Rome, being a thing not a little rooted among the inhabitants in Ireland." And as to his Majesty's affairs he declares himself " as the first spiritual man that moved the twentieth part and first fruits," " setting forth what in " him " lay, the like first fruits of all monasteries being not before mentioned." The King seems to have been over-hasty in his charges against Browne. His complaining letter was written in the year in which the Supremacy Act

was passed, and certainly the Archbishop had been diligent about passing that Act; he had requested the calling of a parliament for that purpose; he had argued strongly for it in the House of Lords; he had argued almost as though true religion and the serving of the King were synonymous; and this was his reward. He deserved better from the King for his political efforts, however unsatisfactory his behaviour may seem to those who regard things from the ecclesiastical and spiritual point of view.

Whether it was owing to the rebuke he had received or not, Browne did exert himself in trying to further the King's affairs. When the King charged him of neglecting to preach the Word of God he cannot have meant neglect of preaching the doctrines of the Reformation, as he himself never held such doctrines. Probably he meant the Royal Supremacy. By the way in which the Word of God and the Royal Supremacy are linked together by Browne, this is also probably what he understood by it; for example, on January 8th, 1538, he wrote to Cromwell and lamented his want of success either by exhortations, instructions, oath, or threats of sharp correction to persuade any, whether religious or secular, "to preach the Word of God, or the just title of our most illustrious Prince."[1]

Probably the words the King had used about the avoiding of superstition referred to the removal of images connected with feigned miracles. Browne himself was no doubt willing to have all images removed, but he did not find it at all easy to carry out his wishes.

In a letter of April 8th, 1538, he says the Romish

[1] *Carew MSS.*

reliques[1] and images of both cathedrals in Dublin took off the common people from the true worship ; but the prior and dean found them so sweet for their gain, that they heard not his words. Evidently he had made some attempt to have them removed, but was opposed by the prior and dean, and probably also by other members of the Cathedral staffs. He goes on in the same letter to ask for " an order more full, and a chide to them and their canons that they might be removed," and for an order that the chief governor might assist him.

In pursuance of these objects, at the end of the same year, 1538, and the beginning of 1539, we find the Archbishop with the Lord Chancellor and other members of the Privy Council of Ireland, making a visitation of the shires of Carlow, Wexford, Waterford, and Tipperary. Here again we find the union of the Word of God and the Royal Supremacy. A State Paper of January 18th, 1539, gives the object of this visitation as follows : " publishing the King's injunctions, setting forth of the Word of God, and the King's Supremacy, together with the plucking down of idols, and the extinguishing of idolatry, and the Bishop of Rome's authority." On January 1st, the Archbishop visited Kilkenny, where he is said to have " preached the Word of God " . . . " publishing the King's said injunctions, and the King's translation of the *Pater Noster, Ave Maria,* the Articles of the Faith[2] and Ten Commandments in English."

[1] It may be remembered that the Act for the twentieth part had extolled St. Patrick's for its godly order. Perhaps the Archbishop's opinions were more protestant than those of the Government.

[2] Richey, in his *Short History of the Irish People,* p. 382, queries whether the Articles of the Faith mean the Six Articles. This guess is undoubtedly mistaken. The Act of the Six Articles was only passed

The Archbishop resorted to a device to compel his clergy to preach the Royal Supremacy. He issued a Form of Beads or prayer to be read at Mass, in which the people were bidden to pray for certain specified objects. This bidding was so worded as to become a sort of instruction upon the Royal Supremacy and the abolition of the jurisdiction of the Pope. It is rather long and in the first place invites prayer for the Universal Catholic Church, both quick and dead and especially for the Church of England and Ireland, for the King as Supreme Head on earth, immediate under God, of the said Church. It asserts that the unlawful jurisdiction, power, and authority of the Bishop of Rome is " by God's law justly, lawfully, and upon good grounds, reasons and causes, by authority of Parliament and by and with the whole consent and agreement of all the bishops, prelates, and both the universities of Oxford and Cambridge, and also the whole clergy, both of England and Ireland, extinct and ceased for ever, as of no strength, value or effect in the Church of England and Ireland." It goes on to say that as the whole clergy, as well as the Universities, have acknowledged the King to be Supreme Head of the Church " so ought every true Christian subject " of the land, as well as to teach his children and servants the same. All this is said to be certified by the might of the ordinary, the Arch-

in England in 1539, and it was on January 1st of that year that the Archbishop preached at Kilkenny. Further, the description quoted in the text suggests that all the four things mentioned were translations from Latin into English, and the Act of Six Articles, like other Statutes of that period, was drawn up in English. The Articles of the Faith certainly mean the *Credo* (cf. Articles of Belief in the Prayer Book Catechism), which we should naturally expect along with the other items mentioned.

bishop of Dublin. The Pope's name is to be defaced in primers and other books, no confidence or trust is to be put in him, or his Bulls, or letters of pardon. It requests prayers for Prince Edward, for the Archbishop of Dublin and all the clergy. Secondly, it invites prayers for all earls, barons, lords, and especially for the Right Honourable Leonard Grey, and the King's most honourable Council; for the mayor of the city and all the commonalty; for the parishioners and all the temporalty; and thirdly, "for the souls that be departed out of the world in the faith of our Saviour Jesus Christ, which sleep in rest and peace, that they may rise again and reign with Christ in eternal life"; it ends "for these and for grace every man may say a *Pater Noster* and an *Ave*."

Except for what is said about the Pope and the Royal Supremacy, there is really nothing in this bidding which can rightly be called a change of religion, though some of the language used suggests that Browne was ready to go further with the Reformation than things had as yet officially gone. The main object to be secured at the time was the Royal Supremacy, but it must be confessed that the reasons given by Browne for accepting the changed views as to who was head of the Church, were not likely to appeal much to the people of Ireland. What likelihood was there that those who believed in the Pope as head of the Church as a serious religious belief, would change that belief because of the authority of a Parliament which was composed of English members, and which had, moreover, been compelled to follow the lead of the Parliament of England? Again, what weight would the opinion of two foreign universities or the opinion of the Archbishop of Dublin, who was

a foreigner, be likely to have with the people of Ireland? It was alleged that the whole clergy of England and Ireland had assented to the change now being inculcated, but the clergy of Ireland had done no such thing. There was no convocation of the Irish Church; the proctors in the Commons were not allowed to vote, and the native Irish clergy had not been consulted at all, nor had they had any opportunity of making their voices heard.

There is language used in the bidding about forgiveness of sins, which might be understood to be directed against the practice of Confession, namely: "you shall have from henceforth no confidence nor trust in him (i.e. the Pope) nor in his Bulls, nor letters of pardon, which beforetime with his juggling casts of binding and loosings he sold unto you for your money, promising you thereby forgiveness of your sins, where of truth no man can forgive sins but God only: and also that ye fear not his great thunder-claps of excommunication or interdiction, for they cannot hurt you: but let us put our confidence and trust in our Saviour Jesus Christ, which is gentle and loving, and requireth nothing of us when we have offended Him, but that we should repent and forsake our sins, and believe steadfastly that He is Christ the Son of the living God, and that He died for our sins and so forth as is contained in the *Credo:* and that through Him and by Him, and by no other, we shall have remission of our sins *a poenâ et culpâ* according to His promises made to us in many and divers places of Scripture."[1] These words sound like an indirect condemnation of the practice of Confession, and perhaps the Archbishop was beginning to think that Confession was unnecessary,

[1] *Carew MSS.*

even if it were not a papal error. But this conclusion does not necessarily follow from the actual words used, and, considering the circumstances, it is unlikely that Browne would as yet openly maintain this view; the official doctrine of the Church concerning Confession had not been altered, and it was shortly afterwards upheld in England by the Act of the Six Articles. Browne of all people would be unlikely to go openly against the King in such a matter. It is evident that he was chiefly concerned with the practice of Papal Indulgences, and it was probably against that rather than Confession that his remarks were directed. His words, though somewhat vague and unsatisfactory from the standpoint of Catholic theology, could be reconciled with the practice of Confession, as he admits the requirement of repentance, which, it might be said, involves Confession, and to believe that remission of sins is by no other than Christ is not really contrary to Catholic belief, because it is admitted that forgiveness is only from Him, even though it is obtained by Confession. It is, however, possible that Browne was intentionally ambiguous, and wished to dispose the people for the abolition of Confession, and yet used language capable of being explained as not against it, if it should be necessary to defend himself. As bearing on this, it may be noticed that in writing to Cromwell, on May 8th, 1538, he complains of certain priests whom people will evil spare for their auricular confessions. This may be regarded as a sign that Browne desired to do away with the practice, but, on the other hand, he may have meant nothing more than that the people would insist on making their confessions to priests who would not admit the Royal Supremacy, and who might use the confessional

as a means of maintaining loyalty to the Pope, and who would consequently be dangerous to the cause of England.

The Archbishop's efforts were not very successful. The clergy of his own diocese were by no means in sympathy with his teaching, and some of them would not obey him in the matter of bidding his Beads, and sometimes unharmonious proceedings resulted. In the letter to Cromwell just referred to, he related what happened in the Church of St. Owen, on the first Sunday of May, and the feast of the Translation of St. Owen, 1538. A priest named Humphrey, parson of that Church and prebendary of St. Patrick's, sang High Mass and would not bid the Beads. But his parish priest (presumably some sort of assistant curate) who was evidently more loyal to the new order of things, went into the pulpit and began to read the prescribed form of bidding prayer. Humphrey proceeded with the Mass, and after three or four lines of the Beads had been read, began the Preface (presumably, the *Sursum Corda* and the *Vere dignum et justum est*), and the choir sang (presumably, the responses to the *Sursum Corda* followed by the *Sanctus*) and the Beads were unbidden. Browne said he had committed him to ward, until he heard of the King's pleasure ; he further asserted that there were twenty-eight of them, or not three of them learned and scarce one that favoured God's Words. He suggested that they should be removed, as otherwise it would be vain for him, or for anyone else, to take pains in the prince's cause.

It thus appears that the clergy and people in general were not in sympathy with the new state of things, and the legislation had little effect as far as the rank and file were concerned. But several bishops took

the oath of Supremacy. Many Irish chieftains were brought to make submission to the King. The State Papers contain documents of agreements between chieftains and the King. Some of these contain renunciations of the Pope's authority and some do not. Perhaps the chieftains, as they were not Government officials, would not be required to take the oath of Supremacy, and such agreements may have been secured from them as were possible with the least friction. Some of these were earlier than the passing of the Act of Supreme Head; for example, there is one between Fergananym Rowe O'Byrne and the Lord-Deputy, of September 18th, 1536, in which O'Byrne undertakes to be a faithful subject of the King; to help the Lord-Deputy against the King's enemies at his own expense, and not to maintain rebels, and to pay yearly tribute; the Deputy for his part undertakes to protect him against all men, as well English as Irish. Some chieftains, after the passing of the Supremacy Act, promised not to admit the jurisdiction and authority of the Roman Pontiff, as, for example, O'Conor on March 6th, 1538.[1] The King adopted the policy of conciliating the Irish chiefs by making them peers; and by this means their status was largely increased. As chieftains they only had rights as being elected for life, but as peers the lands they held became to belong to them and their heirs. The King assumed that the lands of the chiefs were really their own, whereas they really belonged to the tribe; but upon this assumption he granted them along with the peerages, upon the agreement that the new peers would forward his anglicizing policy.

[1] *Carew MSS.*

It is, of course, quite possible that many of the chiefs did not take seriously the duties expected of them and went on much in their own way, but nominally they were brought to conform, as loyal subjects, to the Crown. The subjection of the chiefs helped to facilitate a further strengthening of the royal position by legislation. The English sovereigns had so far not been entitled kings, but only lords of Ireland. In the recent legislation the King had not been called by any higher title than lord, as far as Ireland was concerned, and such had been the title used ever since the English occupation in the days of Henry II. It was contended by some that this was owing to the grant of Ireland made to the English King by the Pope. Understood in this sense it afforded a handle for argument against the King's Supremacy; for example, Cromer, Archbishop of Armagh, argued against the title of Supreme Head on this ground, when the Lords were considering the matter [1]; it was, therefore, felt inconvenient, after the passing of the Supremacy Act, to leave such a title as it was. People might argue, If the King of England's authority is not derived from some higher authority, why is he only lord? In order to meet this, other arguments were adopted, or invented, to show that the King had other rights to Ireland than that of the papal grant. A document entitled the *King's Title to Ireland*, which appeared in 1541, gives seven reasons for his title, of which four antecede the papal grant. The first two are purely legendary; the first asserted that the Irish came from a part of Spain called Boscoo, of which Boyan was the chief city, and that Burgomyn, King of Britayne, was Lord of Boyan; the second was to the effect that the

[1] See pp. 63 f.

same King granted Ireland to the captains of the Irish race, Hyberus and Herimon, who, after coming out of Spain, met him at the Isles of Orcades, and requested land to dwell in. Both these reasons may be dismissed as having no shadow of historical truth. We are then brought to historical times when we have as the third, fourth, and fifth titles, the submission of the Irish chief, McMurrough, to Henry II ; his homage to the same King ; and the papal grant. It was thus claimed that the Irish had submitted themselves, as well as their kingdoms and lordships, to the King of England, as his liege men and subjects, before the papal grant had been made. The grant itself was astutely used to support the King's title, as it was said that the papal legate Vivian had come to Dublin and commanded and denounced on pain of cursing that "no man should depart foolishly from the allegiance and faith of the King of England." The sixth title was the Council of Armagh,[1] and the seventh the submission of the chiefs to Richard II.

Though the first two of the reasons may be dismissed as devoid of historical truth, it does not follow that the King and Government were fraudulent in putting them forward. Similar statements were made by Giraldus Cambrensis, which probably came to be believed as facts in succeeding ages. He tells us that Gurguntius, King of Britain, granted Ireland to the Basclenses who had sailed from Spain.[2]

This is evidently the same tradition as is referred to in the King's Title of 1541. Giraldus seems to have thought that anciently the kings of Ireland had been

[1] The Council of Armagh met in 1170.

[2] Giraldus Cambrensis, *Topographica Hibernica, Distinctio* III, Chap. VIII, Rolls series, Vol. V, p. 148.

tributary to the kings of Britain, as he further says that King Arthur had had them as tributaries, and that some of them came to his court at Caerleon.[1] He also asserts a triple claim of England to Ireland, which agrees largely with that put forward by Henry VIII, namely, that the Irish had come from Basclonia (Biscay) and that Bayonne, the capital of this district, was on the frontier of Gascony; but Gascony and Acquitane were under the rule of Britain.[2] This is a very astounding and precarious title, but from it he infers that England had a right to Ireland. He does not, however, rest his case solely on this as he adds the historical reasons of the voluntary cession and offer of fealty by the Irish princes, as well as the confirmation of the King's title by the Pope. It is thus clear that Henry VIII had some precedent to go upon, and that the claims he put forward were not merely invented to serve his purpose. Unhistorical as we may hold some of them to have been, he found them ready to hand, and probably they were believed at the time to be genuine, much as was the case with the legend of Lucius and Eleutherius.[3]

Henry desired to be acknowledged as King of Ireland to obviate any dispute which might arise concerning his authority from his title being only Lord of Ireland. A Parliament was called, and, contrary to precedent, Irish chiefs were induced to attend. This was probably brought about by the policy of making them peers and otherwise conciliating them. Through the attendance of the chiefs, the whole country was, at least in appearance, represented in the House of Lords, and so the proceedings had special

[1] *Ibid., Distinctio* III, Chap. VIII, p. 148.
[2] *Ibid., Distinctio* III, Chap. IX, p. 149. [3] See pp. 78 f. note.

weight. In 1542, this Parliament passed " An Act that the King of England, his heirs and successors, be Kings of Ireland " (33rd Henry VIII, chap. 1). It simply enacted that the King of England, his heirs and successors, should be always kings of Ireland. The reason for this change of title is stated in the Act as follows : " Forasmuch as the King, our most gracious dread sovereign lord, and his Grace's most noble progenitors, kings of England, have been lords of this land of Ireland, having all manner kingly jurisdiction, power, pre-eminence and authority royal, belonging or appertaining to the royal estate and majesty of a King, by the name of lords of Ireland, where the King's Majesty and his most noble progenitors justly and rightfully were, and of right ought to be kings of Ireland, and so to be reputed, taken, named and called, and for lack of naming the King's Majesty and his noble progenitors, kings of Ireland, according to their said true and just title and style, and name therein, hath been great occasion that the Irishmen and inhabitants within this realm of Ireland have not been so obedient to the King's Highness and his most noble progenitors, and to their laws, as they of right according to their allegiance and bounden duties ought to have been."

This Act was to be proclaimed in all shires on July 1st, and it was made high treason to occasion by writing, deed, print or act, disturbances of the Crown in Ireland in name, style, or other ways. Those who were guilty of such offences were to " suffer pains of death " and also to forfeit their manors and lands to the King and his heirs, saving, however, the rights of others " than such persons as should be so convicted or attainted, their heirs and successors."

The passing of this Act had become possible through the policy of conferring peerages on the chieftains and of otherwise conciliating them; they were thus induced to vote on the side of the Government. The same conciliatory policy was pursued after the passing of the Act. About the same time, the Government had some successes in encounters with the natives. On the whole the result was a gradual increase in the King's authority.

CHAPTER VIII

LEGISLATION CONCERNING RELIGIOUS HOUSES; THE GENERAL EFFECTS OF THE ECCLESIASTICAL LEGISLATION OF HENRY VIII

In addition to the Acts already noticed, there were two others dealing with the dissolution of religious houses, which must be noticed in any survey of ecclesiastical legislation. The first of these was passed in the twenty-eighth year of Henry VIII, by the same Parliament that passed the ecclesiastical measures already considered, and the second belongs to the thirty-third year of Henry VIII, Session 2. The former is entitled "An Act for the suppression of abbyes" (28 Henry VIII, Chap. XVI). It was not ostensibly an Act for the general dissolution of religious houses, but only of certain specified ones, namely, "Bectif, Saint Peters,[1] besides Trim, Duske, Duleke, Holmepatricke, Baltinglas, Grane, Taghmolin, Dunbrodie, Tenterne, the priore of Ballibogane and the abbey of the Hodges and Fernes." These houses were to be vested in the King in as ample manner as the abbots, or other rulers, within a year, had enjoyed them; the King and his successors were "to do and use therewith his or their own wills, to the pleasure of Almighty God and to the honour and profit of the land."

[1] The erratic punctuation follows the printed Statutes.

The estates were to be granted to patentees under the Crown, who should enjoy them according to the tenor of their letters patent and have remedies as the abbots might have had. The lessees were, however, to keep an honest farmer's house thereon, according to the quantity of the domains, on pain of 100s per quarter.

Feoffments[1] which had been made within the last two years were declared void and the governors of religious houses were charged with fraudulently making feoffments and gifts to preserve their estates "for the maintenance of their detestable lives." It was said that they had foreseen the spoiling and destruction of their houses and that they dreaded their suppression. All ornaments, jewels, goods, chattels, and debts were to be given to the King. A yearly pension for life was provided for every chief head, such as should be reasonable and convenient for their degree and qualities. Pensions were not assigned to the inmates, though, if they wished, the King was to provide capacities for them to live abroad, or that they might be committed to some great monasteries in the land, where good religion was kept. Great monasteries were to take such dispossessed religious into their houses.

Although the Act only suppressed certain specified religious houses, after the passing of it several houses which were not mentioned in the Act surrendered. Thirty-five (thirty male and five female) are known to have surrendered between the years 1539 and 1541.[2] In 1542 there followed another Act entitled "An Act

[1] A feoffment is the act of granting possession.

[2] They are recorded in Morrin, *Patent and Close Rolls in Chancery*, 30, 31, 32 Henry VIII.

for the suppression of Kylmaynham and other religious houses" (33 Henry VIII. Sess. II. chap. 5), dealing with monasteries which had surrendered. This was not ostensibly, any more than the previous one, an Act for the forceable suppression of monasteries. It recited that several abbots, priors, abbesses, and prioresses had "of their own free and voluntary minds and assents without restraint, co-action or compulsion" surrendered to the King. It vested all property so surrendered in the King, as well as the estates of all houses, which should afterwards be dissolved or given up. Though these Acts did not provide for a forceable general suppression, under cover of them most of the monasteries of Ireland were gradually suppressed. The inmates were compelled to surrender at the King's will; force was used with those who resisted. For example, the last Abbot of St. Mary's, Thurles, refused to surrender and was imprisoned at Dublin. It may be noted, however, that this forceable suppression, though it may have been very unfair, was not altogether illegal. The Pope, as head of the Church, had often suppressed monasteries. Now that the King was Supreme Head, it might be held that without any direct Act for the purpose, he had the right of suppression. This makes it less surprising that many monasteries surrendered. Knowing that they were powerless against the royal will, they yielded on the best terms they could obtain. The Act of 1542, unlike the one of 1537, says nothing of compensation; but the monks were in many cases given pensions. The evidence for this is found in the Chancery Rolls, where between 1540–44 there are more than seventy enrolled grants of pensions for which the grantees for the most part were members

of dissolved religious houses.[1] In 1540 a Commission was issued for granting annual stipends to dispossessed monks. In 1542 in the annual expenditure we find £1259 3s. 4d. as paid in pensions to such monks.

Notwithstanding that these two Acts were only limited in their provisions, in the light of what happened it seems probable that they were really intended for the forceable and total destruction of the religious houses. The *Annals of the Four Masters* say that in 1540 (when as yet only one of the two Acts had been passed) the English throughout every part of Ireland where they extended their power were persecuting and banishing the orders, and they particularly specify the destruction of the monastery of Monaghan and the beheadings of the guardian and some of the friars, and Monaghan was not one of the houses specified in the Act of 1537.

The Close Rolls of Chancery record a Commission by privy seal on May 20th, 1540, to John Alen, Chancellor; William Brabazon, Vice-Treasurer; and Robert Cowley, Master of the Rolls, appointing them to survey and value the rents and revenues of the dissolved monasteries and religious houses, upon their surrender, and to grant the possessions thereof in spiritualties and temporalties, for the term of twenty-one years: reserving to the Crown the plate, jewels, and principal ornaments; and to put the residue to sale to pay the wages of the officers and servants; and to assign to the head and conventual persons competent pensions to maintain them during their lives or until they should be preferred to some promotion or benefice.[2]

[1] Morrin, *Patent and Close Rolls in Chancery* 31, 32, 33, 35 Henry VIII.

[2] *Ibid.*, 30, 31 Henry VIII, Membrane I, 1.

This leads to the conclusion, that other houses than those mentioned in the Act of 1537 were then surrendering, either voluntarily or otherwise. True, the terms of the Commission do not *necessarily* imply more than the carrying out of the provisions of that Act, but it was three years since the Act was passed and it is not at all likely that so long a period would be allowed to elapse before the suppression of the specified houses. The words, " upon their surrender," used in the Commission would be more natural if there had been more recent surrenders, and the Act of 1542 establishes the fact that there were such surrenders.

This later Act spoke of the surrenders as voluntary, but there was another Commission[1] on April 7th, 1539, directed to John Alen, Chancellor ; George, Archbishop of Dublin ; William Brabazon, Vice-Treasurer ; Robert Cowley, Master of the Rolls ; and Thomas Cusake, Esq., which was couched in language which shows that it was desired, and intended if possible, to overthrow all the religious houses of Ireland. This Commission recited that from information of trustworthy persons it was manifestly apparent that the monasteries, abbeys, priories, and other places of religious or regulars in Ireland were in such a state that in them the praise of God and the welfare of man were next to nothing regarded and the regulars and nuns dwelling there were so addicted, partly to their own superstitious ceremonies, partly to the pernicious worship of idols, and to the pestiferous doctrines of the Romish pontiff, that unless an effectual remedy were promptly provided, not only the weak lower orders, but the whole Irish people might be speedily infected, to their total destruction by their examples ; to prevent

[1] Morrin, *Patent Rolls*, 30, 31 Henry VIII, Membrane I, 3.

therefore the longer continuance of such religious men and nuns in so damnable a state, the King (having resolved to resume into his hands all the monasteries and religious houses, for their better reformation, to remove from them the religious men and women, and to cause them to return to some honest mode of living and to the true religion) directed his commissioners to signify his intention to the heads of the religious houses, to receive their resignations and surrenders willingly tendered; to grant to those tendering it, liberty of exchanging their habits and of accepting benefices under the King's authority; to apprehend and punish such as adhere to the usurped authority of the Romish pontiff and continuously refuse to surrender their houses; to take charge for the King's use of the possessions of those houses, and assign competent pensions to those persons who willingly surrendered. It will be observed that in this Commission it is stated to be the King's resolve to take all the religious houses into his own hands, and it is so worded, as to show that, whether they surrendered willingly or not, he intended to dissolve them, and it seems that for the most part they were destroyed, though some few were left in out-of-the-way parts of the country.

In the *Annals of the Four Masters*, under the year 1537, occurs the following passage: "They (i.e. the King and Parliament) destroyed the orders to whom worldly possessions were allowed, namely, the Monks, Canons, Nuns, Brethren of the Cross, and the four poor orders, i.e. the orders of the Minors, Preachers, Carmelites, and Augustinians: and the lordships and livings of all these were taken up for the King. They broke down the monasteries, and sold their roofs and bells, so that from Aran of the Saints to the Iccian Sea

there was not one monastery that was not broken and shattered, with the exception of a few in Ireland of which the English took no notice or heed." Some monasteries remained until the reign of James I, amongst which were Tyrone, Fermanagh, and Donegal.

It was intended, as provided in the Act of 1537, that the dissolved monasteries in Ireland should be disposed of in another way than they were in England. In the latter country they were given to favourites of the King. In Ireland the property was to be given to patentees under the Crown, who were to hold them under certain conditions, such as that they must keep a farmer's house and household on the site, or maintain hospitality and good housekeeping. In 1538, the Lord Deputy and Council proposed that six houses should stand in default of common inns, as there were no such things in Ireland; his object was to provide for members of the Council and others, who had commonly lodged at the cost of the religious houses. The Act of 1542 provided by monies to the grantees for hospitality and housekeeping in sixteen houses. The King's idea of how the houses should be disposed of may be gathered from a letter written by him to the Council in 1541, in which he says: "We would that they should be sold to men of honesty and good disposition to civility, or to the townships where they be situate, if you should think that the same may be commodious to them, and the rather maintain them in society and in civil manner and living." The conditions of the grants, however, were not fulfilled by those who received them and the monasteries were either pulled down for building materials, or allowed to fall into ruins. Many of the abbeys and their lands were granted to the Irish chiefs, as a means of winning

their acquiescence in the measures of the Government and of generally conciliating them and of bringing them to be, at least passively, loyal to the King.

The effect of the monastic legislation and the consequent suppression of the monasteries was ecclesiastically quite the reverse of what was desired by the King and Government. The parish churches in many districts had been served by clergy from the monasteries, or by deputies or vicars paid by the monks, and the tithes of the parishes had come to be paid to the monasteries, on condition that ministrations were provided for the parishioners. After the suppression, the tithes, as property of the monasteries, passed into the hands of the laymen to whom the dissolved houses were granted, and who were not, or did not hold themselves, bound to provide for the spiritual needs of the people. Consequently many parishes were left without the ministrations of any priest. The difficulty of providing for the vacant parishes was further increased by the Act which made it unlawful to appoint priests who could not speak English, as long as any such could be found. As owing to these reasons many parishes were left without parish priests, the people were thrown upon the friars for spiritual ministrations, and the effect of this was to increase their loyalty to the Pope. The friars had lived for the most part upon alms, largely obtained by begging, and although their houses were suppressed like the houses of other religious orders, it made very little difference in their manner of life. They were still able to go on living in the same way and could endure privations and could, if necessary, live in out-of-way inaccessible districts, like many of the Irish tribes themselves, to whom they ministered. They had ministered to large num-

bers of the people for some centuries. Fitz Ralph, Archbishop of Armagh (1347–1360), complained of the number of people who resorted to them for Absolution instead of to the diocesan clergy. The new Acts of Parliament and the new bishops did not affect them; they had been for centuries extra-diocesan and under the jurisdiction of no bishop except the Pope. Therefore, it made no difference to them whether the bishop of the diocese were a supporter of the Pope, or of the King. Not being parochial clergy and being able to live out of the way of the Government officials, they could evade the oath of allegiance to the King as Supreme Head.

As the inhabitants of the country for the most part were living in defiance of the English Government at Dublin and as the King's writ did not run outside the Pale, the friars were not likely to be called upon to take the oath, and as in many parishes there were no other clergy, they had their opportunity of keeping up religion amongst the people, when it might otherwise have died out. As they were only under the direct jurisdiction of their superiors in their order and the Pope, the people were thus thrown into the hands of the Pope's most loyal followers and their allegiance to him was consequently much strengthened. Thus before any sort of real attempt had been made to teach the Irish the ideas of the Reformation as a spiritual work, the people had become firm adherents of the Pope and the Church of Rome. We might say that the reforming movement in Ireland was killed before it started, and consequently amongst the Irish it has been a great failure.

The legislation of this reign brought a change in the manner of appointing bishops. In the later part of

the Anglo-Norman period before the passing of the Act of Supreme Head, bishops were nominated by the Pope, though with attention to the King's suggestions if he interfered. The English statutes against episcopal appointments by the Pope had been made of force in Ireland by an Act of the Irish Parliament of Henry VI (32 Henry VI), but it was evidently largely ignored. After the Act of Supreme Head, the King appointed bishops, without any reference to Rome. The *Four Masters*, under the year 1537, say that the King and Council "appointed archbishops and suffragan bishops for themselves," that is to say, without authority from the Pope. From the extreme Roman view this was equal to appointing bishops without spiritual authority, though this view was not universally accepted, even by those who acknowledged the authority of the Pope. At the Council of Trent in 1562 a debate arose as to the relations between the Papacy and Episcopate. The Spanish bishops urged that the Pope's confirmation was unnecessary, while the Italian bishops took the opposite view. The Irish titular Bishop of Aghadoe was present and supported the view of the Italian bishops, and alleged that in England the sovereign created bishops, who were consecrated by three bishops and who affirmed that they were true bishops having authority from God. But he added: "We deny this because they are not appointed by the Pope; and we say rightly, and we refute them by this reason *only*, for they show that they were called, elected, consecrated, and given mission."[1] This view prevailed

[1] This is given in Littledale, *Plain Reasons Against Joining the Church of Rome*, p. 234. He refers to Le Plat, "Monument. Counc. Trid.," V, 576–9.

with the Council, and so, according to it, bishops who are not appointed by the Pope are without spiritual authority. It is evident, however, from what the Bishop of Aghadoe said, that this was the only ground upon which it was possible to deny that the Elizabethan bishops were true bishops, and the same would of course apply to those of Henry VIII's reign, whether in England or in Ireland. It is hard to resist the conclusion that the Tridentine Fathers were led to adopt this view owing to the desire, and perhaps the necessity, of finding some ground upon which they could reject the status of the reforming bishops.

As this view was not in Henry's time the formulated teaching of the Roman Church, and as no change had yet been made in the Form and Manner of Consecrating Bishops, as had been made by Elizabeth's time, the question of the reality of the office of the bishops appointed according to the new legislation would hardly arise, either in the mind of the King himself, or the bishops, or the Churches in these kingdoms.

When Browne came to Ireland as Archbishop of Dublin, the other bishops of the dioceses of the Pale were Cromer of Armagh, Staples of Meath, and Wellesley of Kildare, and presumably the Pope had approved of their appointments. Ware says that Staples had succeeded to Meath by provision of Clement VII in 1530. The episcopal influence in these four dioceses was soon on Henry's side. Staples adopted the new policy as eagerly as Browne, though they did not preserve the best personal relationship between themselves.[1]

[1] In *Carew MSS.* there is a letter from Staples to Saint Leger, dated June 17, 1538, in which he complains of Browne's cruelty to

The Sees of Kildare and Armagh both fell vacant in the latter part of Henry's reign, and in 1541 the King appointed Miagh to the former and in 1543, after the death of Cromer, he appointed Dowdall to the latter. Thus all the Sees of the Pale came to be held by bishops of the King's own appointment, who, with one exception (Staples), were appointed without the Pope's sanction. Thus the episcopal influence of the English part of the country was on his side.

Henry also made appointments to Sees situated outside the Pale without any reference to Rome, for example, Devereux to Ferns, 1539; O'Hefferman to Emly, 1543; and O'Shiel to Elphin, 1544. Only in the case of one of the King's appointments did the Pope appoint anyone in opposition, and that was in the case of Armagh, to which See he appointed Robert Waucop, who is sometimes regarded as the first titular Primate of Ireland. He, however, never gained possession of the Archbishopric and he was not even accepted by the Irish adherents of the Pope, though he was received by the Council of Trent as Primate and there signed himself as "Armachanus." He was the first person, after the abolition of the Papal Supremacy by Act of Parliament, to be appointed by the Pope to a bishopric in Ireland, and his appointment was therefore in direct opposition to the King. As he never gained possession of the See and was not recognized by either the native section of the population, or by the English and "reforming" section, and further, as the rupture between the two sections of the Church was not yet consummated, he

himself; there is also a letter from Browne to Cromwell, Aug. 10, 1538, in which he refers to Staples as if he had heard of his complaint.

can hardly be claimed as the first primate of, what we may now call, the Roman succession in Ireland. Richard Creagh appointed in, or about, 1564 might be better considered as having that position.

There were some appointments made by the Pope after the passing of the Act of Supreme Head, which were confirmed by Henry, namely, those of Geravan to Clonmacnois (1541); Magennis to Down (1541); and O'Cervellan to Clogher (1542). He also confirmed that of de Burgo to Clonfort (1541), whom the Pope had appointed before the passing of the Act of Supreme Head. Possibly Henry desired to avoid precipitating a rupture by appointing other bishops in opposition, and probably he did not consider that his confirmations implied any recognition of the Pope's right to nominate. Perhaps he would consider them as *de novo* appointments. In any case the rival succession was begun by the Pope and not by the King.

It is probable that, by the time of Henry's death, the state of the Church in Ireland amongst the English of the Pale was similar to that in England; the Papal authority was abolished and there were some other minor modifications of the mediæval system, though the activity in the direction of reform, which was seeking to break out openly in England, was much less, though no doubt Browne and some of the officials would have liked to carry things much further, but they were handicapped by their surroundings. Outside the Pale amongst the Irish, the Church had probably undergone no change save that the religious houses had mostly disappeared. The friars continued to minister in their accustomed manner, except that perhaps

they worked more energetically where the secular priests had became fewer, and neither they nor their flocks thought or cared anything for reform. The Royal Supremacy must have been theoretically acknowledged by the bishops appointed by Henry, as it was also by the chieftains ; but as far as the common people were concerned, it was a dead letter. They probably still considered the Pope as head of the Church, and perhaps many knew nothing of the new Acts of Parliament.[1]

[1] The appointments of bishops made by Henry VIII are given in Ball, *Reformed Church of Ireland*. The general history where references have not been given has been taken from Richey, *Short History of the Irish People ;* King, *Primer ;* and Ball aforesaid. The *Irish Statutes* (Dublin, 1765) have been consulted.

CHAPTER IX

ECCLESIASTICAL LEGISLATION OF THE ENGLISH PARLIAMENT UNDER EDWARD VI AND ITS BEARING UPON IRELAND

THERE was no legislation in Ireland under Edward VI, as the Irish Parliament did not meet throughout his whole reign, and after the year 1543 it was not summoned again until 1556. The country was, for the most part, quiet, both in the Irish parts and in the Pale, though the native population was only acquiescing and was not really reconciled to the English Government. The ascent of a boy nine years old to the throne might well have encouraged the discontented to rise against the Crown, but this did not happen in Ireland. Perhaps the strong policy pursued in the later years of Henry VIII had somewhat checked the ardour of the King's "Irish enemies." The *Four Masters* bear witness to the strength of the English power at this time; under the year 1547 they say that the power and jurisdiction of the English prevailed so much, that through terror no one dared to give food or protection to O'Conor and O'More, who had assembled to take vengeance on the English. Perhaps also it was felt by the Irish that, after their several defeats, the time had not yet come for making further attempts against the English power. Perhaps the Government feared that if Parliament were summoned

during the King's minority, it might show greater independence than England desired. Several legislative Acts were enacted in England, and according to the policy of the late reign, the Irish Parliament should have been summoned to adapt the English legislation to Irish soil, but this was not done. Perhaps the Acts of the English Parliament were felt to be such innovations that it was thought better to see how they worked out in practice in England before summoning the Irish Parliament. It was sought by other means to extend the English ecclesiastical policy to Ireland.

Those in sympathy with reform in England now found their opportunity. In Henry VIII's reign those who had to any extent imbibed the opinions of Luther, or of other reformers, must have felt themselves in a peculiar position. The authority of the Pope had, indeed, been disowned: but although this made an opening for much further reform, the existing state of religion was scarcely allowed to be altered. The doctrines and practices most objectionable to the extreme reformers, such as Transubstantiation, Communion in one kind and Auricular Confession, were the legal tenets of the Church and dissent therefrom was punishable with very great severity. It was for many a position that could only be acquiesced in as tentative in hope that things would eventually move further. The Tudor despotism would probably lead them to proceed only cautiously, as too great rashness might provoke a wholesale persecution. Certain steps had, however, been taken. The Bible had been translated and printed in English, and as early as 1538 directions had been given that it should be set up in churches. In 1542 Cranmer had proposed to the Convocation of

Canterbury that candles and candelabras before fixed images should be abolished; that the breviaries (*portiferia*), missals, and other books should be corrected and reformed, and that the names of the Roman pontiff and St. Thomas à Becket should be erased and abolished by all presbyters; also that certain vestments and other ornaments (*vestimentis sericis et aliis ornamentis ipsis statuis appositis*) should be removed, and that the people should learn and recite the Lord's Prayer, the Creed, and Ten Commandments in the vulgar tongue.[1] By 1543, the King seems to have consented that a further reformation of the Service Books should take place, as Cranmer in that year signified in Convocation that it was the King's will that all Mass Books, antiphoners, and portuises should be corrected and reformed, and not only was all mention of the Bishop of Rome's name to be eradicated but all apocryphas, feigned legends, superstitious orations, collects, versicles, and responses were likewise to be removed; further, the names and memories of all Saints, who were not mentioned in the Scripture, or by authentical doctors, should be abolished.[2] It seems from this that Cranmer already had his eye to extensive reform, and such alterations as were here proposed were eventually carried out in the reformed Prayer Books. When the English Prayer Book appeared, all lessons which were not taken from Holy Scripture had been abandoned, as well as versicles and responses which interrupted the reading of the lessons and prayers, and collects which referred to the intercession of the Saints. It

[1] Procter and Frere, *History of the Book of Common Prayer*, p. 30, referring to Wilkins, III, 861.

[2] *Ibid.*, p. 31, referring to Wilkins, III, 863.

was probably the prayers and collects that referred to this intercession which were called superstitious. There was also a great curtailment of the number of Saints whose days were observed, none being retained who were not mentioned in Scripture. This was followed by the introduction into the liturgical services of the Church of readings of Holy Scripture in English. It was ordered that after the *Te Deum* and *Magnificat*, on every Sunday and Holy Day, should be read one chapter of the New Testament in English without exposition, and when the New Testament was read over, the reading of the Old should begin. This was an interpolation into the Offices of Matins and Vespers as they then stood, and not the translation of an existing lesson, as there were no lessons in the Latin Offices at these particular points; but this order assigned definite positions to English Lessons which they still retain in the English Prayer Book services.[1] The first official form of prayer put forth in English for public use in Church appeared in 1544, in the issue of the English Litany. The people had had English translations of the Latin Litany in their Primers for private use for many years; but the English Litany was a new arrangement and not a literal translation of the old one. It was in form, and almost in words, the same as the English Litany in use at the present day, except that it had three clauses of invocation of Saints, as follows:

[1] The direction to read a Lesson in English after the *Te Deum* points to the fact that the laity were then in the habit of attending Matins of the Latin Breviaries, as well as Mass. Otherwise there would be no object in reading a Lesson in English. This is very different from what has become the modern practice in the Roman Church, where Matins has become practically an Office said privately by the clergy, who usually say it in anticipation on the night before, or even still earlier in the day before.

Saint Mary Mother of God, our Saviour Jesus Christ, pray for us.

All holy angels and archangels, and all holy orders of blessed spirits, pray for us.

All holy patriarchs, and prophets, apostles, martyrs, confessors, and virgins and all the blessed company of Heaven, pray for us.[1]

These three clauses represented what had been in the Latin litanies a long series of invocations beginning "*Sancta Maria ora pro nobis*" and ending "*Omnes sancti orate pro nobis.*"[2]

This is as far as official reform had proceeded by the death of Henry VIII, and there was really nothing, except from the conservative instinct which dislikes change, that anyone who had accepted the Royal Supremacy, however devoted he might be to the old religion, could find any serious difficulty in accepting. Those who were in favour of the growing new ideas would feel that they were steps, if only slight ones, in the direction which they desired to see things move. Though this was all that was officially done, Cranmer, and probably others, were making experiments in liturgical reform with a view to further steps being taken, when the time should be ripe.

Upon the accession of Edward VI, the Duke of Somerset became regent, and the Government was no longer able to keep the balance between the various factions in Church and State, and so had to make an alliance with one or other party. The Catholic party contained most of the old nobility, while the Government belonged to the new nobility, the class which had furnished the agents and "profiteers" in the dis-

[1] Procter and Frere, p. 415. [2] *Ibid.*, p. 411.

solution of the monasteries. The reformers were eager to carry further the work of reformation and were ready to support the Government if by so doing they could obtain help in forwarding their desires. The Government was thus constrained to become allied with the reformers, whose opinions were tending more and more in an extremely Protestant direction; consequently it lent itself to forwarding their wishes in ecclesiastical affairs; so much was this the case that, if Edward had reigned much longer than he did, the breach of English religion with the past would have been far greater than it was. Though the earlier liturgical attempts at reform were sober and not impossible of acceptance by the Catholic party, by the end of the reign things were fast moving in the direction of making the religion of England a form of Calvinism.

Though there was no such conflict of religious opinions in Ireland, it was the aim of the English Government all through the reign, to bring the ecclesiastical affairs of Ireland into agreement with those of England. We see this even from the first ecclesiastical measure enacted in England, which was also the first Act of any kind to find a place in the Statute Book in the reign of Edward VI. It is Chapter I of 1st year of Edward VI, and is headed "The penalty of unreverend speaking against the Sacrament of the Body and Blood of Christ, or against the receiving thereof in both kinds." The Act throws some light upon the religious state of England at that time and upon the theological ideas of the party in ascendance in the Government. So far these opinions seem to have been in favour of moderate and reasonable reform. The preamble of the Act speaks of the King's

desire to have unity of religion by clemency, but asserts that there has been abuse of the Blessed Sacrament in sermons, preachings, readings, lectures, songs, plays, jests, and in consequence it enacts that such abuse shall be punishable after a certain date by imprisonment, fine, and ransom at the King's pleasure, and that justices of the peace in every shire of the realm, Wales, and all other places within the King's dominions shall have power to receive information and accusation. It is evident from this that there were many who did not believe in, and who did not reverence, the Blessed Sacrament in the way which had hitherto been customary, and as sermons and preaching were some of the ways in which this abuse found expression, there must have been some amongst the clergy who were infected with the irreverent views of the time. As this Act was passed in the same year as Edward came to the throne (the Parliament which enacted it sat from November 4th to December 24th and Edward had become King the preceding January), this abuse, or at least the opinions which engendered it, must have existed in Henry VIII's time, though no doubt it had become much more prevalent in the nine months which had passed of Edward's reign. In the latter part of the Act was an enactment which Churchmen could not now admit to be within the province of Parliament, but which rather belongs to the Church in Convocation, namely, that Communion should be given in both kinds. This part of the Act is as follows: "Forasmuch as it is more agreeable both to the first institution of the said Sacrament of the most precious Body and Blood of our Saviour Jesus Christ, and also more conformable to the common use and practice

both of the Apostles, and of the Primitive Church, by the space of 500 years and more after Christ's Ascension, that the Blessed Sacrament should be administered to all Christian people under both the kinds of bread and wine, than under the form of bread only, and also it is more agreeable to the first institution of Christ and to the usage of the Apostles and the Primitive Church, that the people being present should receive the same with the priest, than that the priest should receive it alone; therefore be it enacted by our Sovereign Lord the King, with the consent of the Lords spiritual and temporal and the Commons in this present Parliament assembled and by the authority of the same that the said most Blessed Sacrament be hereafter commonly delivered and ministered unto the people within this Church of England and Ireland and other the King's dominions under both the kinds, that is to say, of bread and wine, except necessity otherwise require: and also that the priest which shall minister the same, shall at least one day before, exhort all persons which shall be present, likewise to resort and prepare themselves to receive the same" . . . "not condemning thereby the usage of any Church out of the King's Majesty's dominions."

This portion of the Act tempts to a few remarks, even if they are not quite to the subject of this book. The way in which the Blessed Sacrament is consistently so called throughout the Act points to the fact that the Government so far was more disposed to the ancient Catholic doctrine concerning it than to the new Protestant ideas. While we cannot admit that it was the province of Parliament to order Communion in both kinds, yet the reasons it gives for such an order are sound and will bear investigation. There

can be no doubt that Communion was usually given in both kinds for more than five hundred years after Christ's Ascension, as stated by the Act; in fact, the period might have been stated as much longer. It was not until about the twelfth century that Communion in one kind only became the general practice in Western Christendom, and it was not expressly authorized by conciliar action until the Council of Constance in 1415, by which time it had become general. From St. Thomas Aquinas (1226–74) it appears that it was not universal in his time, as in his *Summa Theologica* he speaks of it as the use of *many* Churches (*multarum Ecclesiarum usus*), not of all.[1]

As we are considering Irish history, we may mention the ancient Ardagh chalice now in Dublin museum, which is believed by antiquarians to belong to the ninth century. The inside diameter of the bowl is seven inches and the depth three and three-quarter inches; consequently in its shape it resembles a large wide bason more than an ordinary modern chalice. A chalice of such size and shape would hardly have been chosen if it had become customary for the priest alone to communicate. This alone seems to show that the people received from the chalice in Ireland in the ninth century.

The Act of Edward which we are considering, seems to allow Communion under one kind in exceptional cases, if necessity require.[2] This, perhaps, was meant to cover the case of communicating the sick, for which so far no new provision had been made; probably the old practice of Communion with the Reserved Sacrament under one kind only was meant to continue.

[1] *Summa Theologica*, 3rd Part, Q. LXXV, Art. 12.
[2] See above, p. 133.

It will further be noticed that while the Act says it is more agreeable to the first institution of the Sacrament, that the people should receive the Communion with the priest, rather than that the priest should receive it alone, it makes no enactment that they *must* do so, but merely prescribes that the priest shall exhort the people to prepare to receive it. Roman Catholics would now admit the literal truth of this statement, and that it was a desirable reform of those days to make Communion more frequent, without forbidding people to be present when not receiving. At the time Communion was very infrequent. The insurgents in the West of England, in 1549, desired that it should remain so and that they should only receive it at Easter. It was, however, a strange means of teaching a more excellent way to use an Act of Parliament for the purpose. It may also be noticed that the Act disclaims any condemnation of any Church outside the King's dominions. This, as it stands, applies equally to either the reformed Protestant Churches of the Continent or to the Roman and Eastern Churches;[1] but as the reformed Churches had adopted Communion in both kinds, it seems more likely that, at present, the Government did not want to expressly condemn the practice of the Church of Rome.

The most important point of this Act, so far as Ireland is concerned, is that it expressly legislates for Ireland; in the earlier part of it, which deals with

[1] The Eastern Churches and their customs did not concern us much at this period, though there is reason to suppose that Cranmer had access to their service books and was somewhat influenced by them, especially in the reformed Litany. Communion in these Churches is in both kinds, but by intinction (i.e. by the species of bread dipped in the species of wine).

irreverent speaking concerning the Blessed Sacrament, the sphere in which the Act is to operate is described as every shire of this Realm (i.e. England), Wales, and other places in the King's dominions, but in the part which enacts Communion in both kinds it is described as the Church of England and Ireland and other the King's dominions. This was probably the first time the English Parliament expressly legislated for Ireland, though the right to do so had been asserted long before.[1] Perhaps it was felt to be worth while trying to legislate directly for Ireland, in order to avoid the inconvenience of the opposition likely to be shown by an Irish Parliament. This was not the way to promote the proposed changes in Ireland, and all who were under the jurisdiction of the Irish Parliament might consider the procedure an insult to themselves and the Government of their country.

Without any further liturgical provision, it would have been possible to carry out in practice the provisions of this Act. All it needed was to consecrate more wine than had been customary in the celebration of the Mass, and to deliver the chalice to the people with an adapted form of words for the administration. The form customary in England for the delivery of the Host was "*Corpus Domini nostri Jesu Christi custodiat corpus tuum et animam tuam in vitam aeternam. Amen.*" All that was necessary was to change the word *corpus* into *sanguis*, but advantage was taken of this opportunity to introduce a new liturgical form in English, called the Order of the Communion. This was an English form of devotions for giving Communion and was intended to be inserted into the Latin Mass after the priest's Communion. In itself

[1] See p. 16.

it was quite unobjectionable from the staunchest Catholic point of view, and all of it, with a few verbal changes, has passed into the English Prayer Book, though it has not retained its original position. It consisted of a rather long exhortation about the requirements for receiving Holy Communion worthily, followed by an Invitation thereto, form of Confession, Absolution, Comfortable Words, Prayer of humble access, Words for the administration of both kinds, and a Blessing. This was issued by Royal Proclamation on March 8th, 1548, and was intended to come into use the following Easter. It was intended for Ireland as well as for England, but only one attempt was made to bring it into use there, and that was by Staples, Bishop of Meath. It caused such opposition that the attempt was dropped.

It was no doubt clearly seen and felt that reform must go further, though the steps so far taken tended to show that the Government and the bishops desired that it should take place on conservative principles, as the statements in the Act of 1 Edward VI bear witness, although it is evident that there were many who were ready to go to extremes and had no reverence for the ancient religion. Perhaps the Act and the Order for giving Communion in both kinds were intended as sops to satisfy the impatient, until further work could be satisfactorily done. Things were meanwhile being rapidly carried further and the Parliament of the 2nd and 3rd of Edward VI (November 4th, 1548 to March 14th, 1549) passed the Act of Uniformity, Chapter I of that Parliament. It was entitled "The penalty for not using uniformity of service and administration of Sacraments, etc."

The witness of the Act supports the view of the

state of things that has just been indicated. It says that for a long time there had been many forms of common prayer in the realm, expressly mentioning the uses of Sarum, York, Bangor, and Lincoln, but that of late there had been " much more divers and sundry forms " ; from this it is evident that there had been unauthorized attempts at reform and these would probably be in a Protestant direction. The Act provides a remedy. It says the King has appointed the Archbishop of Canterbury and other bishops and learned men to make one convenient and meet order, according to the most sincere and pure religion taught by Scripture and usages in the Primitive Church and that, as the result of this, the Book of Common Prayer was now ready. (This is what is usually called the first Prayer Book of Edward VI). This was prescribed for use in England and Wales, Calais and the marches of the same and other of the King's dominions, from the following Pentecost. It enacted severe penalties for not using the Book ; beneficed clergy for a first offence were to be imprisoned for six months ; for a second, for a year and to be *ipso facto* deprived of all spiritual preferments, and for a third, imprisonment for life. Unbeneficed clergy seem to have been allowed only two chances, for a first offence imprisonment for six months, and for a second, for life. There were also penalties against those who depraved the Book of Common Prayer by plays or other means. For a first offence a fine of £10 ; for a second £20 ; for a third, forfeiture of goods and chattels and imprisonment for life.

By this Act the Book of Common Prayer was made the only legal form of public worship in England. The Act, unlike the first Act of Edward's reign previ-

ously referred to, did not expressly mention Ireland, though it would be covered by the words " other the King's dominions " literally interpreted. This expression, without the express mention of Ireland, is found in various other Acts of this period. From the first Act of the reign, it seems most probable that the English Government intended that the ecclesiastical statutes should apply to Ireland. It is, of course, possible that the omission of the word " Ireland " was an oversight, but this is improbable, as there are other instances of the same thing. It was, perhaps, thought safer to omit it, in case Ireland should contest the right of England to legislate for her, and yet to word the Act in such a way as to cover Ireland, if it could be enforced there. As Ireland had recognized the King as Supreme Head of the Church in that country, it may well have been thought that he could direct forms of worship without authority from Parliament. The Tudor sovereigns were not above exercising the power which had been taken from the Pope, if they found occasion to do so. According to the Tudor policy, Ireland as well as all dominions of the English Crown must follow the same policy. It was more necessary in ecclesiastical affairs than temporal, as a difference in religion might furnish excuse for disloyalty, especially when disloyalty to the Crown was condoned and even encouraged by highly placed officials in the Pope's entourage. In some respects it was inconvenient, from the point of view of the English Government, to have two parliaments; therefore the Parliament of Ireland must be made subservient to that of England and its legislation must be an imitation of it, and if English Acts could be enforced in Ireland without

the Irish Parliament as an intermediary, so much the better from their point of view. Subsequent history clearly shows it was intended that the Act of Uniformity should apply to Ireland, and perhaps it was also intended, if it could not be enforced otherwise, to get it enacted by the Irish Parliament, though the Government may well have desired to avoid this if possible, as Ireland was then politically quiet, and to call an Irish Parliament might be the means of disturbing the country, the more so as England herself was not in an internal peaceful condition. It will be remembered that in the reign of Henry VIII an attempt was made to have the King acknowledged in the country as Supreme Head, before the Irish Parliament had taken any steps in the matter. It was only after the commissioners appointed for the purpose for furthering the cause of the King's Supremacy had failed to secure their object, that Archbishop Browne requested that an Act of Parliament should be passed for this purpose. Probably this would have been avoided had the commissioners succeeded, as it was not without difficulties that Parliament was induced to pass the Act. The policy of Edward's Government thus appears to have been the same as that of Henry, namely, to enforce the English changes, and if possible, without the Irish Parliament, and only to call in its aid if necessary.

CHAPTER X

ECCLESIASTICAL EVENTS IN IRELAND UNDER EDWARD VI

Two years were allowed to elapse before any steps were taken to have the Prayer Book introduced into Ireland ; hence, except in so far as any of the English ecclesiastics in the country may have innovated upon their own account, the Latin Mass continued in use until 1551 as the only legal act of worship. We have evidence of its use during these two years, even in official Dublin, as it is on record that Sir Anthony St. Leger, who was reappointed Deputy in August, 1550,[1] attended High Mass at Christ Church. One is tempted to wonder whether the Archbishop of Dublin innovated of his own accord. As far back as 1538, Staples wrote to St. Leger that he had heard Browne abhorred the Mass.[2] Yet for another thirteen years the Mass was the legal service in Ireland, and unless he innovated he must have continued to celebrate it. During Henry VIII's time, as there was no English form of the Mass, he must have continued to use the Latin one, and there is no proof, even in Edward's time, that he anticipated the introduction of the Prayer Book into Ireland. Yet he was very indignant because St. Leger went to Christ Church and attended

[1] His return in this year is recorded by the *Four Masters*.
[2] *Carew MSS.*, June 17, 1538.

Mass, when it was still the legal service. Concerning this he writes: "Sir Anthony upon his arrival went to the chief church of the nation; and there, after the old sort, offered to the altar of stone, to the great comfort of his too many like Papists, and the discouragement of the professors of the Gospel." The language is curious and seems to mean that he attended a Mass which was celebrated upon a stone altar. But why should Browne be indignant at the Deputy going to the chief church of the nation and attending the legal service?

Presumably, Browne himself must at times have said Mass in this same church; can it have been that he objected to the stone altar and used another when he officiated? Is this complaint of his an indication that he had begun to use the English service himself as far as was possible, considering the Act of Uniformity sufficient authority for so doing? Or was he merely waiting his time and expecting St. Leger to come and set up the English service forthwith, and indignant that he did not at once begin to overthrow the old customs, fearing lest by attending Mass he should lessen his chances of success in the work of reformation? St. Leger probably did not feel strongly about religion at all; he was a State official, willing to carry out the royal policy. He would probably have preferred to leave the religious question as it was and to attend to matters of civil policy, but on February 6th, 1551, he received a mandate from the King for the introduction of the English Prayer Book into Ireland. In this mandate, the putting forth of the Prayer Book is regarded as a continuance of the policy of Henry VIII. It calls to mind the translation and placing of the Holy Scriptures in the churches for

increase in " the knowledge of God and of our Saviour Jesus Christ," and it asserts that it is for the general benefit in praying and hearing prayers read, and for the better joining in, in unity of hearts and voices, that the liturgy and prayers of the Church have been translated into the mother tongue. St. Leger is commanded " to give special notice to all " the " clergy, as well archbishops, bishops, deans, archdeacons" and other secular parish priests of Ireland " to perfect, execute, and obey the royal will." In addition to this mandate, he seems to have had instructions in July, 1550, before going to Ireland to retake up the post of Deputy,[1] to set forth God's service in English, where it was understood, and otherwise to be translated into Irish, unless the people be brought to understand English.

With the object of carrying out the royal mandate St. Leger called an assembly of bishops and clergy, which met on March 1st, 1551. This was the first time since the passing of the Act of Supreme Head, that the Crown consulted an ecclesiastical assembly in Ireland on any matter concerning the Church. An account of this assembly is given in Robert Ware's Life of Archbishop Browne. St. Leger, from the way in which he reasoned, seems to have really desired to carry out the King's wishes, and if this stood alone we might suppose that he really was in favour of reform ; but, as he had previously offended Browne by hearing High Mass and in his turn had been angry with the Archbishop on account of his matters of religion, and had even given him a book to read, which Browne considered to be poisoned with Transubstantiation and other naughtiness, it is more likely that his religion

[1] The Instruction is in the *State Papers.*

was a matter of policy. In the assembly he notified to the bishops and clergy what the King had ordered, and having backed it up by the opinions of the bishops and clergy of England, who had adhered unto the order, said that it was the King's will and pleasure that the same should be in Ireland. Dowdall, Archbishop of Armagh, as Primate of all Ireland, seems to have spoken first in reply, and with all his power and force he opposed the proposal, though it must be admitted that, so far as the account preserves what was said, his reasoning was not very convincing. He objected that if the King's order were accepted, then every illiterate fellow should read Mass. This was worthless as an argument, as even if it be held desirable to have Mass in an unknown tongue, there was no proposal that any who had not been ordained priests should say Mass; so unless Dowdall meant to imply that there were already illiterate priests or that illiterate men in consequence might be made priests, his argument was worthless. But, even if this latter consequence were in his mind, his argument was worth but little, for as St. Leger in answer said, there were too many illiterate priests already, who could neither pronounce nor understand Latin better than the people who heard them, but when the service should be in English, both the people and priest would understand what they prayed for. There is on Roman Catholic principles no essential reason why Mass should be in a tongue not understood of the people, as when Mass began to be said in Latin, that language was understood in Italy, and now amongst the Uniates of the Roman Communion Mass is allowed to be celebrated in many other languages than Latin. The only reason that can be alleged which carries weight is the authority of the

Church. As at this time the Church of Ireland was not officially under the Pope, this reason was not of much avail. Dowdall seems eventually to have ceased to argue the point and to have bidden the Deputy beware of the clergy's curse. The Deputy does not seem to have regarded this as of any importance, and there was a further intercalation about the true Church, Dowdall contending that the true Church was the Church of St. Peter, the Mother Church of Rome, thus showing that he believed in the claims of the Roman Church, while the Deputy urged that the true Church was the Church of Christ of which St. Peter was a member but not the head. After this Dowdall and all his suffragans, except Staples, Bishop of Meath, rose up and left the assembly, unwilling to accept the royal order. It is evident that Dowdall firmly held the Roman view of Church authority, and it is somewhat surprising that Henry VIII should, as late as 1544, have appointed him to the See of Armagh. We should have expected him to have put there a man who was favourable to his policy, as in the case of his appointment of Browne to Dublin. It is even said that Dowdall, after his appointment, sought, though unsuccessfully, to obtain the Pope's confirmation.[1]

Archbishop Browne, in writing to Cromwell on August, 6th, 1551, after referring to Dowdall's flight[2] said that " the Archbishops of Armagh claimed the Primacy and ' tyttle of tholl realme, by the Bushope of Romes Bulles.' " This testifies that the Archbishop of Armagh regarded the Primacy to be held sub-

[1] Ware says Dowdall " was contented to take his advancement from the King and could never obtain a provision from the Pope, who had promoted another to it." This seems to suggest that he tried to obtain such provision.

[2] See below, pp. 157 f.

ject to the Pope's authority, but it does not prove that the Pope ever sanctioned Dowdall's appointment, though, as far as it goes, it lends support to the view that Dowdall sought the Pope's confirmation. There can, of course, be no doubt that such confirmation was not given, as the Pope appointed Waucop to the See of Armagh.

Could Henry have been mistaken in his estimate of Dowdall? Possibly; we can hardly think he would knowingly appoint a man of such views. The Lord-Deputy St. Leger is said to have obtained this appointment for Dowdall, and to have promised it to him, when he surrendered the friary of Ardee, of which he was prior. The King may have felt it safe to rely on St. Leger's word and may have thought, that as Dowdall received the See in return for the surrender of the friary, he would support his policy. The Archbishop must have taken the oath of Supremacy, but could he have also taken the oath of fidelity to the Pope? We should have thought not, yet in a conference held later between himself and Deputy Crofts (St. Leger's successor), Staples also being present, he defended himself by the oaths bishops took at their consecrations and reminded Staples that he too took that same oath before he was consecrated. Staples (who, by the way, had been Dowdall's chief consecrator) admitted the fact, but confessed it to be an error, which it was safer for conscience sake to break than to observe, and further alleged that Henry VIII had demolished it and set up another, namely, the oath of Supremacy. As Staples was consecrated before the Act of Supreme Head was passed,[1] he obviously took the oath to the Pope, but that Dowdall should

[1] He became Bishop of Meath in 1530.

have done so, as late as 1544, seems quite impossible, unless in Ireland the old oath had been carelessly allowed to linger on unchanged side by side with the new oath to the King.

After the withdrawal of Dowdall, Browne, Archbishop of Dublin, had his opportunity. St. Leger handed the King's order to him, and he received it with a speech of the same surprisingly Erastian character as the one which he had previously made in favour of passing the Act of Supreme Head. According to Ware, it was as follows: "This order, good brethren, is from our gracious King and from the rest of our brethren, the fathers and clergy of England, who have consulted therein and compared the Holy Scriptures with what they have done, unto whom I submit, as Jesus did to Cæsar, in all things just and lawful, making no question why or wherefore, as we own him our true and lawful King." This is a truly miserable speech. We can only hope that Browne was convinced in his own mind that the Prayer Book, which was to be enforced, was sound and good in itself, that he felt its use to be desirable, and that he was not a good pleader, and so could only defend his action in this wretched way. The language of this speech is surprisingly submissive, especially when we remember that the King was only thirteen years old, and the directions consequently were not really his, but those of his advisers. The view of obedience to the King put forth is almost that of a monk to his abbot, as it implies that the true and lawful thing is to obey without question, simply because he is King. On such a principle the status of the Church might be changed as often as the King willed. The speech contains no argument that the clergy of Ireland could feel com-

pelling as a matter of principle. The only reason put forth is that it is the will of the King and of the bishops and clergy of England. Unless the King were really believed to have the authority which had been taken from the Pope, and that even in spiritual matters, there was no reason why the Irish Church should follow the directions of England. For the Archbishop of a province in Ireland to accept *ipso facto* what the bishops and clergy of England had done was a very undignified course to take. His claim to be acting like Christ submitting to Cæsar in all things just and lawful, is very weak and revolting, as Christ did not accept any order of divine worship from Cæsar, and, moreover, if the order of the King must be accepted without question why or wherefore, how could it be proved that it was just and lawful? As the result of this assembly, several of the meeker and more modest bishops and clergy cohered with Browne, and Ware mentions three of their names, Staples, Bishop of Meath, John Bale (who he says, "on the 2nd February, 1552, was consecrated Bishop of Ossory for his fidelity"), and Thomas Lancaster, Bishop of Kildare; Bale was not a bishop at the time of the meeting and was not appointed to Ossory until a few months afterwards, though he may perhaps have been already designed for that See. Before this meeting, Edward had appointed Travers to Leighlin; so probably he also was amongst those who concurred.

This meeting was followed by a proclamation of the Lord-Deputy for the carrying out of the King's directions, and the English Prayer Book came into use in Christ Church Cathedral, Dublin, on Easter Day, 1551. The Deputy, Archbishop Browne, and the Mayor and Bailiff of the city were present, and the Archbishop

preached. Probably the proclamation was obeyed in other churches of the Pale. Certainly the bishops and clergy who had accepted the King's order would carry it out, if the opposition it provoked were not too strong to overcome. Thus, there were now two divisions in the Irish Church, consisting of those clergy and congregations who used English services and those who used the Latin Mass and other services in the old accustomed manner. Of these two divisions the latter was, of course, numerically the greater.

On the 23rd of May, 1551, St. Leger was succeeded as Deputy by Sir James Crofts, who made an attempt to heal this division in the Church, by trying to induce Dowdall to conform. He wrote to Dowdall suggesting that he should appoint a place where he might conveniently have the happiness of appeasing wrath between the fathers of the Church and his Grace, saying he should think his labour well spent to make a brotherly love therein. This letter is written in a respectful and sincere tone, though the sentiments expressed in it are so much like those previously put forth by Archbishop Browne that it seems probable there had been some consultation with the latter before sending it. The letter was written on the 16th of June, and by that time the Deputy would be able to meet the Archbishop of Dublin, and nothing was more likely than that he should confer with him about the affairs of the Church and as to the order of procedure to be adopted towards those who were resisting the King's order. The letter contains these words, which echo what Browne had said in the House of Lords during the discussion on the Act of Supreme Head, as well as his words at the conference with St. Leger: "You are not ignorant of the obedience

due unto kings and princes ; for the Chief of Bishops, namely, Christ, the Bishop of our souls, showed you the way by His tribute given unto Cæsar, the same being formerly confessed and acknowledged to be so due by the Bishops of Rome themselves." This tribute unto Cæsar is again stretched to cover much more than it can possibly bear, as it does not follow because tribute is due to Cæsar, that Cæsar has the right to impose the mode of worship upon the Church. Sir James Crofts said that, as he was employed under his Majesty, he need not have sought this request, but he feared "an order ere long to alter Church matters, as well in offices as in ceremonies," which he would prevent if possible and therefore he had written out of hearty affection. There was here a hint of further impending changes. Already in England there was much dissatisfaction with the Prayer Book on account of it being too "Popish" and things were there moving in the course which eventually issued in the publication of the second Prayer Book of Edward VI. Crofts probably knew something of this trend of things and that a new Prayer Book, more Protestant than the existing one, with much further alteration in offices and ceremonies, would soon be issued, and that this might be ordered for use in Ireland. It would seem by his remarks that he hoped Dowdall might accept the present Prayer Book and that in consequence the further alterations likely to come in England might possibly not be ordered in Ireland ; in other words, that Dowdall might be willing to accept what could be secured with the first Prayer Book, in order to save much which it might be impossible to save afterwards. Now it is quite possible that this hint may have made Dowdall more

than ever determined not to yield, from a feeling that the alterations ordered by the King were only steps towards further and still more objectionable changes. At any rate his reply was not very encouraging from the Deputy's point of view. He wrote that he had no hope of the differences between himself and the Deputy and an "obstinate number of Churchmen" (as he called those who conformed) being appeased, as their judgments, opinions, and consciences were different; yet he was impressed by the Deputy's overtures, which he acknowledged as kind and hearty, and consented to meet him, though not at the Deputy's palace, as he had withdrawn himself during his predecessor's government.

The conference took place at St. Mary's Abbey, and the Bishop of Meath was present to argue on the side of the Government. Dowdall, of course, pleaded his own case. A record of what passed is preserved in a MS. in the British Museum. The argument was chiefly about the Latin Mass and the Prayer Book, though the position of the Blessed Virgin Mary was introduced as a side issue. Dowdall's main contention was the antiquity of the Mass and that the Prayer Book was "established without the consent of the Mother Church." He was, of course, correct in this; the antiquity of the Mass could not be gainsaid and the Prayer Book was established without the consent of the Roman Church, which was probably what Dowdall meant by the Mother Church; further, it had not been consented to by the Church in Ireland. It might be contended that it had been consented to by the Church of England, though even there its enforcement was enacted by Parliament in such a manner that the clergy had either to submit or be

deprived, so that it could hardly be called a free consent even there. It is not surprising that an Archbishop of an Irish province should have been unwilling to acknowledge that he was bound by the enforced consent of the Church of another country. There was no principle which could compel obedience in the matter, except the one put forth so often by Archbishop Browne, that England and Ireland were under the same King and that therefore both countries should follow the same ecclesiastical policy. At the same time, while we respect Dowdall for his adherence to principle in this matter, he exhibits the type of mind which is incapable of applying itself to changing circumstances. He seems to have held that the Mass had come from the Apostles' days, and does not seem to have felt any doubt about the traditional religion. He could, however, only defend it by weak unsatisfactory arguments, and seems to have been unable to see that the old religion might possibly need to be adapted to the changed circumstances of the times, neither does he seem to have imagined that such a thing was possible without a complete change of religion. Though the Mass might be ever so ancient, it might yet be right and wise either to translate it or to bring out a new arrangement of it in the vernacular language, and this might be done without the loss of anything essential to its validity or completeness. Moreover, however ancient it was, it did not in its Latin form come from the Apostles. Probably the earliest Liturgy used in Rome was Greek, as is witnessed by the survival of *Kyrie eleison* and *Christe eleison* in the Roman Mass to this day ; further, it is likely that the Roman Latin Mass itself was originally a new arrangement and not a direct translation from the Greek Liturgy, as a

comparison of the Roman Mass with any of the known Greek Liturgies shows the former as very meagre and compressed over against the latter. Moreover, the Roman Mass had not always been the use of the Irish Church, as in the earliest days some other form of Liturgy—probably of the Gallican type—had been used, and the Roman use only became general after the Synod of Cashel in 1172, and that was owing to the anglicizing policy of England. It would not therefore follow that the introduction of the English Liturgy was necessarily any more a change of religion than these changes of the past had been. This Dowdall seems to have been unable to see.

The mind of Staples was much more modern. He contended that the Liturgy was but the Mass reformed and cleansed from idolatry. But while a conservative mind like Dowdall's is liable to stick in a groove, a radical, reforming mind is liable to be carried beyond due bounds, and there certainly was the tendency in the reforming party to set up a new religion. The remark of Staples here as to idolatry shows this tendency. It was no idolatry in the Catholic party to adore the Blessed Sacrament, because, rightly or wrongly, they believed it to be the Body and Blood of Jesus Christ, and those who applied the word idolatry to this adoration showed that they were moving in their minds towards a disbelief in the Blessed Sacrament. But in saying the Liturgy was but the Mass reformed, Staples was really on solid ground, as the Liturgy (i.e. the service of the Communion) of the first Prayer Book, which was the one in question at the time, in its arrangement of component parts followed almost exactly the order of the Roman Mass; though it was not a translation so

much as a newly written English version, there was nothing in it which, as far as its actual contents were concerned, could not be used by those who held the old doctrine concerning the Mass, without doing violence to their feelings or conscience. Gardiner expressed his opinion that the Prayer Book taught the most true and Catholic doctrine of the substance of the Sacrament, and that it was not distant from the Catholic Faith in his judgment.[1]

Staples further showed his modern mind by his assertion that the Church of Rome had altered the Mass oftener than any other Church upon the face of the earth. How much he knew about the history of the Roman Mass is not clear, and many might at first dismiss this assertion as false. In the sense of changing from one rite to another, as was now being attempted in Ireland, it certainly is not true. Though, as has been said, the Roman Mass was not the original Liturgy of Rome, it had been used there from about the fourth century and had never been changed for another rite. It had frequently undergone minor alterations in the way of receiving additions, such as new prayers added in the Canon and preparatory prayers at the beginning of the service, and prayers at the offertory; even in places where the Roman use was followed, there were local variations, and it was really by these local variations and not by any differences in the general scheme, that the uses of Sarum, York, and of other places were distinguished from each other. There had also been a great increase in the ceremonies; for example, the use of incense, though of early origin, was much elaborated as time

[1] Procter and Frere, *New History of Book of Common Prayer*, p. 67, quoting from Cranmer, *Works on the Lord's Supper*.

went on ; the ceremony of the Elevation of the Host, which had become the dramatic point of the whole service, only became general in the Middle Ages. Probably it was such alterations in ceremonies and such minor additions that Staples chiefly had in mind. He asserted that Pope Celestine in the fourth century first introduced the Psalm *Judica me Deus* at the beginning of the Mass. He also showed the modern trend of his mind by attacking, as spurious, certain prayers of the Mass, which were attributed to St. Ambrose, claiming Erasmus as his authority.

In this debate upon the Mass it might be said that both parties were right in their contentions and yet the debate was futile, as they were arguing at cross purposes. The Mass might be ancient as Dowdall contended and the Prayer Book Liturgy might be only the Mass reformed ; but what needed to be proved was that the times required some alteration in the existing arrangements of the Church in things not touching the essentials of the Faith, and that the Church had authority to meet these needs, and that the Irish Church under her primate would be well advised to take the matter in hand. But, as long as only the King's wish could be assigned as the reason for the proposed changes, it was not likely that any agreement would be reached.

In the portion of the debate concerning the Blessed Virgin and the lawfulness of praying to her, Dowdall shows an insufficient grasp of the subject and appears rather as one who had just inherited the practice and had not reasoned deeply over it. He defends it by the fact that she was called blessed and by asking if it was not probable that St. Ambrose (Staples had denied that St. Ambrose had prayed to the Blessed

Virgin) desired her mediation, as she is the mother of Christ. He also urged the analogy of children being commanded to obey their parents. This was a singularly weak defence; the application of the word blessed proves nothing on the point in question; the probability of what St. Ambrose did is no proof of what he really did do, and the obedience of children to their parents is *nihil ad rem* in proving the efficacy of the intercession of the Blessed Virgin, which is really the point involved, though it does not seem to have been expressly put forward.

Staples would not find it difficult to silence such arguments, even if he could not hit the real point. As to the use of the word "blessed" he said others were so called, instancing the beatitudes in the Sermon on the Mount. He asserted that St. Ambrose knew better than to pray to the Blessed Virgin, but in this, of course, he knew no more than Dowdall. He betrays here a tendency towards a conclusion not justified; he says that if we make the Blessed Virgin "a mediator as well as Christ, we do not only suspect Christ's insufficiency, but mistrust God's ordinances, thinking ourselves not sure by His promises to us and our forefathers, that Christ should be our Mediator." Most Protestants of mediæval and of modern times would probably agree with him here; but, as a matter of fact, he misses the point, which is, that those in grace can pray through Christ, the one Mediator; therefore to ask the prayers of the Blessed Virgin does not involve making her a goddess, as Staples asserted, neither is it analogous to the position of parents to children, as Dowdall urged.

As the two parties could not strike common ground, the meeting broke up, as Dowdall expected, without

effecting any result. The Archbishop's view was that it was all in vain, when two parties should meet of a contrary opinion. He urged the matter of the oath taken at consecration, which has been already referred to,[1] by which he considered himself bound, while Staples considered it safer for his conscience to break it. To the sorrow of the Lord-Deputy that the Archbishop could not be convinced, the meeting terminated.

The refusal of Dowdall to obey the King's order furnished an awkward situation for the Government. The Tudor policy could brook no defeat in such a matter, and if the Act of Uniformity were held to apply to Ireland, Dowdall was liable to imprisonment. But it was probably felt unadvisable to apply the Act to Ireland without an enactment by the Irish Parliament, and Crofts seems to have had too great a regard for the Archbishop to set it in motion against him. Yet, unless the Government was to be beaten, an event which would make it impossible to carry out the royal policy with other bishops in the country, something must be done. For the present the displeasure of the Government was only marked by taking away the primacy from the See of Armagh and conferring it upon Dublin. This was done by an order of the King and Council of England on October 20th, 1551.[2] This was at the same time a mark of appreciation by the Government for the conduct of Archbishop Browne, who, no doubt, with his Erastian views would consider it very high honour.

[1] See p. 146.

[2] Morrin, *Patent Rolls*, 5 Edward VI, Membrane 19, 152; also in *Deputy Keeper's Reports*. The grant was made to George, Archbishop of Dublin, and his successors for ever, of the title and dignity of the primate of all Ireland: to hold to him and his successors for ever.

Dowdall soon afterwards left the country. Doubt has been expressed as to whether he was banished or went voluntarily.[1] On the whole the latter seems more probable. Ware says he went into voluntary banishment. Archbishop Browne, writing to Cromwell on August 6th, 1551, speaks of his flight and reports that he had written " that he wolde never be bushope where tholie masse was abolished." This supports Ware's statement. Queen Mary, however, in writing to the Lord-Deputy, in 1553, concerning his restoration, says he was of late unjustly expulsed and forced for his refuge to fly the realm.[2]

Perhaps the primacy was taken from his See, in hope that he would leave, and so spare the Government the necessity of taking more forceable measures. His See was considered vacant and steps were taken to provide a successor.

With a view to the appointment of a successor, Archbishop Cranmer submitted to the King the names of five men, whom he thought would be " willing for conscience sake to bestow the talent committed unto them wheresoever it should please the King's majesty to send them."[3] The King selected one of them, named Turner, whom Cranmer described as merry and witty ; " *nihil appetit, nihil ardet, nihil somniat, nisi Jesum Christum,*" and who " in the lively preaching of Him and His word, declared such diligence, faithfulness, and wisdom, as for the same deserveth much commendation." He was not, however, willing

[1] In *Harleian Miscellany*, Vol. V, are several collections from Anthony Martin, a Bishop of Meath, in which it is stated that some say Dowdall was banished and others that he went voluntarily.

[2] Morrin, *Patent Rolls*, 1 Mary, Membrane 2, 4.

[3] Strype's *Memorials of Cranmer*, Book II, Chap. XXVIII, Vol. I pp. 392 ff.

for conscience sake to go wherever the King might send him and he steadfastly and wisely refused to go to Armagh, because he did not know Irish. So unwilling was he to go, that Cranmer writing later (September 19, 1552) to Cecil, said that he had preached twice in camp at Canterbury against rebels, who would have hanged him, but he seemed more glad to be hanged than go to Armagh. The Archbishop tried to overcome his reluctance by telling him they understood English in Ireland, though he doubted as to the diocese of Armagh and advised him to learn the Irish tongue, which he might do in a year or two. This shows a somewhat careless way of dealing with the Irish question, though it shows Cranmer himself was not averse to the use of the Irish tongue; from the instructions to St. Leger in 1550[1] it seems that the Government also was not averse, yet no steps were taken to have the Prayer Book translated into Irish at this time.

It was strange to think of sending to Ireland as bishops men who would need two years to learn the Irish tongue, and yet expect them to teach the Irish people and to make up for the lack of preaching, but it must be admitted the position of the Government was very difficult. It was impossible to send an Irish-speaking man without appointing an Irishman, or at least an inhabitant of the country, and there were but few, if any, such men whom the Government could trust.

The choice finally fell upon an Englishman named Goodacre, who accepted the archbishopric and was consecrated along with Bale, Bishop of Ossory, in Christ Church, Dublin, by Archbishop Browne, assisted

[1] See p. 143.

by Thomas, Bishop of Kildare and Eugene, Bishop of Down, on February 2nd, 1553.[1] This occasion marks a further forced, unauthorized step in the Reformation in Ireland. The first English Prayer Book contained no Ordinal or Form of Consecration and Ordination of Bishops, Priests, and Deacons, and it was not until January 31st, 1550, that an Act was passed in England giving the King power to appoint six bishops and six other learned men to prepare a new Ordinal (3rd and 4th Edward VI, c. 12). This Act provided that an Ordinal should be put forth before April 1st and should be lawfully used " and none other."

No doubt it was intended that eventually this Ordinal should be used in Ireland, as was the case with the Prayer Book, but so far no royal command of any sort had been given to introduce it there, and up to this time the Latin Pontifical had remained in use in Consecrations and Ordinations in Ireland.

Meanwhile in England the second Prayer Book of Edward VI had come into use. The second Act of Uniformity establishing its use was passed on April 14th, 1552, and this enacted that its use should begin on All Saints' Day (November 1st) of the same year.[2] Bale, the Bishop-elect of Ossory, held extremely Protestant views and was bent on extending the Reformation in Ireland as far as he possibly could, though from the light his own words throw upon his

[1] Letters of the King to the Deputy appointing Goodacre and Bale are recorded in Morrin, *Patent Rolls*, 6th Edward VI, Membranes 7 and 10; there is also a record of the nomination of Bale, directed to the three consecrating bishops in Membrane 1 of 7th Edward VI.

[2] To this second Prayer Book the Ordinal of 1550 was annexed, with some reduction of its ceremonial, which thus came to form part of the book.

character we cannot be surprised that he did not succeed. He has left behind him an autobiography, entitled "*The Vocacyon*[1] *of John Bale to the Bishoprick of Ossorie in Ireland, his persecutions in the same and final deliverance,*" which throws light upon the history of the consecration of Goodacre and himself. He displays an utter lack of charity in judgment. The priests who used ceremonies of which he did not approve, though they had been accustomed to them all their lives, are called "epicurish," and are said to act for "wicked bellies' sake." He even calls Archbishop Browne a great epicure. Thomas Lockwood, Dean of Christ Church, Dublin, is called a blockhead and further accused of fearing for his kitchen and belly. An ecclesiastic who can use language like this will strike most people as utterly contemptible. Yet such a man was appointed a bishop at a critical period of history, and claimed to have earnestly exhorted people to repentance and to have required them to give credit to the Gospel.[2] His *Vocacyon*, in spite of its vulgar language, is valuable for a few facts of history. It shows that the Prayer Book (that is, the first one) was used, at least at Waterford, where Bale arrived on January 21st, 1553, for in it he says that "The Communion, or Supper of the Lord, was there altogether used like a Popish Mass with . . . bowings, and beckonings, kneelings, and knockings." This establishes the fact that the new service was used but with much of the same ceremonial as had been customary at the Latin Mass, and indeed, it would

[1] The *Vocacyon* is printed in the *Harleian Miscellany*, Vol. V. Historical collections of the Church in Ireland, printed 1681 (London).

[2] The King required the Deputy to receive him as a man highly commended (Morrin, *Patent Rolls*, 6 Edward VI, Membrane 11).

be quite easy to adapt the old ceremonial to the new English service. This was, probably, also done in England, by those who held the old religion and yet were able, like Gardiner, to accept the use of the English Prayer Book, and it is not at all surprising that they should have taken this course. If, as Staples said, the Liturgy was but the Mass reformed, it was natural that the priests who used it and who did so for the most part under constraint, should have used it in a way as far as possible resembling their previous practice. The history of the consecration of Bale and Goodacre is clearly seen from the *Vocacyon*. So far there had been no consecrations or ordinations in the English language in Ireland, and as the English Communion Service was in use it would not be altogether clear what ought to be done when a consecration had to take place. Archbishop Browne had consecrated Thomas Lancaster, Bishop of Kildare, in 1550, but as this was before the English Prayer Book was introduced into Ireland, it must clearly have been in Latin.[1] Consecration, or Ordination, always had taken place during the Mass ; but now the official Church had given up the Latin Mass for the English service, and as yet no order had been given in Ireland for an English service of Consecration. What was Archbishop Browne to do now that he had to consecrate two Bishops ? Was the Latin form of Consecration to be combined with the English Communion Service ? This would need some process of adaptation, but as the English Liturgy followed practically the order of the Latin Mass, it would not be impossible, though it would involve some awkward difficulties ; for example, it had

[1] Morrin, *Patent Rolls*, 4th Edward VI, Membranes 23, 95, record the letters patent (July 7th) for the consecration.

been customary in consecrations to say the Latin Litany, with special suffrages inserted for those to be consecrated; but now the Litany had been put into English and was already in use in that language in Ireland. Should the English Litany be substituted for the Latin one in the consecration, and, if so, as it was not merely a translation but a rearrangement, where should the special suffrages be inserted? As they stood, even if the consecrator translated them into English, they would fit very awkwardly into the English form, and there would arise the further question as to where they should be inserted. In this dilemma Browne would naturally look to England for guidance, and he would learn that there an English Ordinal was in use, which was now already in its second revision and formed part of the second Prayer Book and was, moreover, to be used with the Communion Office of the same book. As this book was more acceptable to the Protestant party, it would consequently be more objectionable to those who had brought themselves, only unwillingly, to conform to the first Prayer Book. Browne might now consider whether it might not be possible to carry the work of reformation a step further by using the English Ordinal of 1550, along with the Communion Service of the first Prayer Book then in use in Ireland, which would be to follow what had been the custom of England from 1550 to 1552. He might go still further and consider whether, as Ireland was intended to follow England in ecclesiastical affairs, he might not use the Communion Service and Ordinal of 1552, as was then the legal use in England. It seems from what Bale tells us in his *Vocacyon* that this step was contemplated, for he says that Thomas Lockwood, the Dean of Christ

Church, " desired the Lord Chancellor very instantly, that he would in no wise permit that observation (that is, the Consecration) to be done after that Book of Consecrating Bishops, which was last set forth in England by Act of Parliament, alleging that it would be both an occasion of tumult, and also that it was not as yet consented to by Act of their Parliament in Ireland." There would have been no need for the Dean of Christ Church to make such an appeal, if there had not been some thought of using the English service. Hence we may conclude that there was some intention of using it. As the result of Lockwood's request, the Chancellor evidently requested Browne and the Assistant Bishops, and presumably the Bishops-elect, to fall in with the Dean's wishes. " The Archbishop consented thereunto, so did the other two Bishops." That is, they consented not to use the new English Ordinal ; therefore it must have been their intention to use the Latin service of Consecration, though what they meant to do about the English Communion Service already in use does not appear. From what Bale says it appears Goodacre was willing to be consecrated with the Latin service, though he would have preferred the English, " but would not at that time contend with them," that is, with the consecrating Bishops. From Browne's willingness to use on this occasion either the Latin Pontifical or the English service we may infer that he and the other Bishops (Bale perhaps excepted) considered them as essentially the same, so far as the office of Bishop to be conferred was concerned.

Bale, however, was not as compliant as the Archbishop. His extreme opinions were not to be set aside by Dean, Lord Chancellor, or Archbishop. So

when it had been decided to use the Latin Pontifical, he stepped forth with an argument similar to that previously urged in other circumstances by Archbishop Browne, who must consequently have felt its weight. "If England and Ireland be under one King, they are both bound to the obedience of one law under him. And as for us, we came hither as true subjects of his, sworn to obey that ordinance." Apparently the Bishops-elect had taken the oath of Supremacy in England before coming to Ireland; this would not necessarily be broken by accepting a different ecclesiastical arrangement in Ireland, so long as that arrangement had been introduced by the King's authority and had not so far been superseded by any further order. Bale seems to have considered that by acquiescing in the proposed arrangement he would be breaking his oath, and rather than do that, he said he would be better contented to tread under foot his bishopric. He further declared that, when he came into office, he would use the second Prayer Book at Ossory and none other. His words are: "Came I once to the Church of Ossory, I would execute nothing for my part there, but according to the rules of the latter book." So, according to him, neither Act of the Irish Parliament nor Royal Injunction was necessary, but without any order whatsoever any ecclesiastical arrangement set up in England *ipso facto* bound the Irish Church.

Leland tells us that he also objected to the wafer or stamped cake, which he saw prepared for the Communion, and that "he suspended the whole office until it was removed and common bread placed on the table."[1] Whether this was so or not, as the result

[1] *Harleian Miscellany*, quoting Leland, *History of Ireland*, 1773, Vol. II, p. 200.

of his opposition the Lord Chancellor commanded the ceremony to be done according to the second book. Thus the second Prayer Book of Edward VI was used in Ireland and the only authority there was for its use was the command of the Lord Chancellor, who had not received any order to that effect from England, and who was merely acting to please Bale. According to the account, there was no tumult as Lockwood had predicted and all except the priests were well contented, though the Archbishop's manner did not please Bale, for he thus describes his manner of conducting the service : " Then went the Archbishop about that observation, very unsauerly and as one not much exercised in that kind of doing, especially in the administration of the Lord's Holy Supper." He may well have felt that his dignity was being lowered ; he had agreed to do one thing at the Lord Chancellor's request, who was instigated by the Dean of Christ Church, the Archbishop's subordinate, and then he was again ordered to do the other thing at the instigation of another inferior, only a Bishop-elect of an inferior See of his province. It seems certain that the second Prayer Book was really used, not only for the Consecration, but also for the Communion Service. As this was the first time Browne had used either service it would account for him appearing " not much exercised therein," which is perfectly credible if he were using the second Prayer Book for the first time and using it somewhat unwillingly ; it would hardly be credible if the service were that of the first Prayer Book, because the Archbishop must have been using that for nearly two years.

It is sometimes said, for example, by Ball in his

Reformed Church of Ireland,[1] that the second Prayer Book was never used in Ireland, and the mistake is made that the Ordinal of 1550, which was issued apart from the Prayer Book, is what Bale contended for. The Ordinals of 1550 and 1552, though not identical, were substantially the same, and it would not make much difference which was used ; but from what has been said above it seems certain that, not only the Ordinal, but also the Communion Service of the second book was used, and this further makes it likely that Morning Prayer, which precedes Consecration, was used from the same book. But even if the use of the second book on this occasion is not fully established, Bale had protested his intention of using only the latter book, when he came to his Church at Ossory. We must, therefore, presume that he did use it, and with his violent views it is not at all likely that he used the first Prayer Book after he had seen the way in which it was used in Waterford. He expressly tells us that he required his prebendaries and priests "to observe and follow that only Book of Common Prayer which the King and his Council had that year put forth by Act of Parliament," though he has to confess they would not obey. He gives three interesting excuses alleged by them for not complying ; the first of these was "the lewd example of the Archbishop of Dublin, which was always slack in things pertaining to God's Glory." There is no evidence whether Browne again used the Second Book after the consecration referred to, but this excuse of Bale shows it probable that he did not use it as his regular practice. The second excuse Bale brings forward is the want of books, a very sufficient reason which makes

[1] Ball, *Reformed Church of Ireland*, p. 47.

clear that it was really the second Prayer Book, and not the first, for which he was contending. The third excuse is that their own justices and lawyers had not yet consented thereunto.

While what has been said shows that it is a mistake to say the second Prayer Book was never used in Ireland, it evidently did not come into general use even within the Pale, as Bale had not been consecrated six months before his ill-starred efforts to promote its use were cut short by the death of the King, which took place on July 6th, 1553.

The direction given to Crofts to have the Prayer Book translated into Irish was never carried out; so probably outside the Pale the old Latin rites were continued almost everywhere, as many priests did not know English and simply could not have used the English Prayer Book, even if they had wished to do so.[1]

[1] The English Statutes referred to are in *Statutes at Large;* the history of the Liturgical changes is in Procter and Frere, *New History of Book of Common Prayer;* also in Dixon, *History of Church of England:* the general history of Ireland at this time is in Richey, *Short History*, and Bagwell, *Ireland under the Tudors*. Other works are noted in references.

CHAPTER XI

THE IRISH CHURCH AND PARLIAMENT IN THE REIGN OF QUEEN MARY

In Queen Mary's reign the Irish Parliament was not ignored, as it was summoned and legislated, though its legislation, so far as it related to the Church, was not much more than a repeal of the Acts of Henry VIII. Notwithstanding this, the procedure of the Government towards Ireland did not differ much from that of Edward VI. The ecclesiastical changes were brought about for the most part without Parliamentary action, and when Parliament did meet, in 1556, it had only practically to put its seal upon what had already been accomplished.

As the Reformation in Ireland had had only such very little success (if success it may be called), the accession of Mary would not make much difference in the actual state of the Church. Of course the English service, where it had been used, would be displaced by the Latin, and the Protestant-minded bishops would be removed. We cannot feel that the people would be in the least sorry about these changes. Bale's departure would be a welcome riddance; Browne probably would be but little regretted; the new Primate of Armagh (Goodacre) had died before King Edward; thus the way was clear for the introduction of Mary's policy.

The accession of a Roman Catholic sovereign put the reforming bishops, both in England and in Ireland, in a very awkward position. They had pushed on, as far as they could, the work of the Reformation. There is no reason for doubting that in the main they believed in what they were doing, though they may not have foreseen whither the iconoclastic zeal and the hatred of the old religion on the part of the more extreme were carrying them. Possibly they had not expected the death of Edward VI ; had they thought of that as being at all near, they would have foreseen something of the difficulties likely to arise. They could hardly have anticipated his death at the time the second Prayer Book was issued, which was only a little more than a year previously.[1] They had especially supported the changes by the royal will. England and Ireland were under one King ; therefore the Irish Church and people like the English ought to submit to his will. This was their main argument. Now that the sovereign was a Roman Catholic, who wished for a reversal of the state of religion, they ought on their own arguments to have turned round again. This they probably felt was an impossible course and one which would have shown them to be quite without principles. The lower clergy, who had only conformed because they felt compelled to do so by higher authority, and had done so only unwillingly, and had assimilated the manner of rendering the Prayer Book services as much as possible to their former customs, could more easily revert and could do so even gladly. But the bishops and those who had

[1] The second Act of Uniformity (English), which authorized the second Prayer Book, was passed on April 14th, 1552, though the date appointed for introducing the use of the book was Nov. 1st of the same year (only eight months before Edward's death).

taught that the old religion was idolatrous and false, and had asserted (as Staples) that they were even compelled by conscience to break their oaths to the Pope, could not turn round and escape the charge of insincerity. We may charitably believe that they had not really adopted the reforming opinions merely because of the King's order, but that they had used that order as a convenient means (though as it now turned out, a very unwise one) of furthering their aims. Bale, although he exhibits in his own writings such an unlovable character, must be given the credit of being sincere in his opinions and fanatical conduct. He had given proof of this, even in Henry VIII's time, by incurring imprisonment for preaching against the current religion, and he had afterwards withdrawn to Germany for eight years, where he avoided the persecution he would have been liable to in England. After Mary's accession we find him expressing himself as "loath to incur the danger of perjury," referring to the oath he had taken to the King and Council for "abolishment of that Popish Mass" when his clergy wanted him to sing a solemn requiem Mass for King Edward, though his description of the oath is rather exaggerated.[1]

In his *Vocacyon* he shows the readiness with which the people of his diocese turned back to the old state of things. He is speaking particularly of Kilkenny, where Mary was proclaimed Queen on August 20th,[2] though what he says may be taken as typical of other

[1] *Vocacyon*, in *Harleian Miscellany*.

[2] She was proclaimed as Queen of England, France, and Ireland, Defender of the Faith, and on earth Supreme Head of the Churches of England and Ireland. She was so proclaimed in England on July 19th, 1553, and the following day the Lords of the Council in England charged the Lord Chief Justice and Council of Ireland that she should be proclaimed there. See Morrin, *Patent Rolls*, 1 Mary, Membrane 2, 5.

parts of his diocese. He says that " on the last day of August the clergy of Kilkenny blasphemously resumed again the whole Papism, or heap of superstition of the Bishop of Rome, in his absence, without statute or proclamation." He shows, however, that notwithstanding his Protestantism, his clergy acknowledged him as their bishop. They desired a Requiem Mass and Dirge for King Edward and told him that it was his bounden duty to say the Mass, " being their bishop." This he would not do, but the request shows that, although he had only been consecrated with the English Ordinal, they admitted him to be a bishop and qualified to use the Latin Mass. It is not to be supposed that at this time any serious question had arisen amongst the clergy of Kilkenny as to the validity, or otherwise, of the English Ordinal; perhaps some of them did not know how his consecration had been performed, and if they did, they probably had not reasoned much about it; but, so far as the incident goes, it supports the view that the episcopal character of the reforming bishops was not yet questioned by the clergy of Ireland.

It is well known that the policy of the earliest part of Queen Mary's reign was to proceed cautiously. Agreeably to this, we find Bale telling us that there came a proclamation (probably September 3rd) " that they which would hear Masses, should be suffered so to do, and they that would not should not thereunto be compelled." He does not say whether this proclamation came from Dublin or from England, but it was probably the first proclamation of the reign concerning religion in Ireland, and it showed what might be expected and Bale confesses " that building clearly overthrown." From rumours that the Pope should

again be taken as Supreme Head of the Church of Ireland; from his priests having set up all the altars and images in the Cathedral Church; from conspiracies against his life; and from there being no English governor in the land, Bale found his position so uncomfortable that he fled to Dublin, where he remained with friends for a time.

It is not clear whether Browne had any similar experience with his clergy at Dublin, but we should expect him to act more accommodatingly than Bale, and it is quite likely that he himself would for the present go on as he was and allow his clergy to use either the Latin Mass or the Prayer Book as they chose, according to the proclamation. In any case his conduct aroused Bale's ire, because he would not allow him to preach in Dublin; consequently he incurred Bale's abuse in such choice terms as "epicurose," a brochish swine, a dissembling proselyte, and a very pernicious Papist. The opinion of a man who uses such language can hardly be taken seriously, though these charges may be some indication that Browne was not altogether averse to conforming to the orders about changes which were expected from England, or to considering the possibility thereof.

Mary would naturally be expected to be a supporter of the Pope's authority. The treatment of her mother by Henry VIII, the incidents arising out of the divorce and the imputation cast upon her birth by her father, would incline her towards that authority which her father had rejected for the purpose of asserting his own claim of Supreme Head. She inherited the title of Supreme Head and for some time held it in spite of her own personal dislike for it. Her own feeling is expressed in a letter she wrote to Pole

on October 28th, 1553, when she says *Veremur ne, pertinacius quam desideraremus, insistant et urgeant, ut titulum supremi capitis ecclesiae continuemus et assumamus.*"[1] No official order seems to have been given to Ireland before April, 1554, but in England the ecclesiastical Acts of Edward's reign (not as yet of Henry VIII) were repealed by Parliament towards the end of the year 1553, by the First Act of Repeal, by which it was enacted that from December 20th onward, Divine Service and Administration of the Sacraments, as were most commonly used in the last year of Henry VIII, should be restored. It was not to be expected that the reformers would at once give up the English service, but the Latin services were restored in various places before the time fixed by law. A month after Edward's death, a Requiem Mass was celebrated by Gardiner before the Queen and Council in the Tower, and the funeral was performed by Cranmer in Westminster Abbey with the Burial Service and Communion from the Prayer Book. Thus the two services were in use already; probably the Latin soon came to be the most widely used, but both were permitted until December 20th, when the Prayer Book ceased to be legal. There was no necessity to submit this Act to the Irish Parliament, as none of the Acts of Edward had been passed by it, and what progress had been made in Ireland in the work of the Reformation in his reign had been made without legislation. Although the Reformation had there made such little progress, it was necessary for the restoration of the old religion to get rid of the bishops who had reforming sympathies. The vacancy at

[1] This is cited in Ball, *Reformed Church of Ireland*, p. 50, from Stubbs' edition of *Hardwick's Reformation*, p. 216.

Armagh made matters easier and Mary restored Dowdall to his See.

She wrote concerning him to the Lord-Deputy to the effect that he had without any good cause or ground and contrary to the order of justice been unjustly deprived of the dignity of Primate of all Ireland, and expressed desire that he should be restored to that office; also, that the goods of which he had been deprived should as far as possible be restored to him and that he should also have the priory of Ardee for life, without paying rent. Accordingly, she granted him restoration of his goods and lands and also of his title; further, she cancelled the letters patent which had conferred the primacy of all Ireland on the See of Dublin.[1] Thus the honour, which was granted by Edward VI to the See of Dublin "for ever," was very short-lived.

As Waucop, the Pope's nominee to the See of Armagh, had died in 1551, this appointment of Dowdall does not imply any anti-papal action on Mary's part. As he had already held the See, and as his devotion to the old religion had been proved, it was the most natural thing to reappoint him. A month after his restoration, a step was taken to procure the removal of the reforming bishops. In April, 1554, a commission was issued to the Primate (Dowdall), Walsh, afterwards Bishop of Meath, Leverous, afterwards Bishop of Kildare, and others to restore the former religion and to re-establish celibacy amongst the clergy. As Browne and other bishops had married, they were by this commission liable to be deprived, and by the end of the year, either by deprivation, as in

[1] See Morrin, *Patent Rolls*, 1 Mary, Membrane 2, 4; 1 Mary, Membrane 15; 64, 65.

the case of Browne[1] and Staples, or by flight as in the case of Bale, the Sees of Dublin, Meath, Kildare, Leighlin, Limerick, and Ossory were vacant.

Notwithstanding their views it seems that these bishops were allowed to continue exercising episcopal functions in Mary's reign until their deprivation ; for instance, a writ of *conge d'élire*[2] was issued on November 20th, 1553, to the Dean and Chapter of Cashel to elect Rowland Baron as Archbishop of the See and on November 26th letters patent[3] were issued for his investiture and consecration to George, Archbishop of Armagh, George, Archbishop of Dublin, and the Bishops of Meath, Leighlin, Cork, and Ross and Annaghdown.

Now as the Archbishop of Dublin and the Bishops of Meath and Leighlin were of the reforming party, it is evident that the Government was willing for them to unite as bishops with other bishops of the old way of thinking. The Bishop of Leighlin was also appointed by a letter of the Queen to the Archbishop of Cashel, dated October 14th, 1553,[4] to be one of the consecrators of Thorney, Bishop of Ossory. The Sees which became vacant were, of course, filled by bishops who were favourable to the Queen's views, and the See of Dublin was given to Hugh Curwin, an Englishman and native of Westmoreland. He was already Dean of Hereford and Archdeacon of Oxford and he had been chaplain to Henry VIII ; so evidently he could have had no insuperable objections to the Royal Supremacy. He was consecrated in St. Paul's, London, on September 8th, 1555, according to the Latin rite.

[1] In *Har. Mis.* (collections from Anthony Martin) it is related that Browne was expelled by Dowdall on account of his marriage.
[2] Morrin, *Patent Rolls*, 1 Mary, Membrane 10, 12.
[3] *Ibid.*, 1 Mary, Membrane 15, 36.
[4] *Ibid.*, 1 Mary, Membrane 10, 14.

Mary wrote the following letter to the Dean and Chapter of Christ Church, Dublin, to request that they would receive him honourably :

" To our trusty and well beloved the Dean and Chapter of the Cathedral of Christ Church, Dublin, within our realm of Ireland.

Mary the Queen.

Trusty and well beloved we greet you well, and forasmuch as the right reverend Father in God, our right trusty and well-beloved counsellor, the Archbishop of Dublin, being lately chosen for that See, repaireth speedily to that our realm of Ireland, as well to reside upon the cure of his bishopric, which now of long time hath been destitute of a Catholic bishop, as also to occupy the office of our high chancellor of that our realm : albeit we have good hope ye will in all things of yourselves carry yourselves towards him, as becometh you : yet, to the intent he might the better govern the charge committed unto him, to the honour of Almighty God, and for the remain of our service, we have thought fit to require and charge you, that for your part ye do reverently receive him, honour and humbly obey him in all things, as appertaineth to your duties tending to God's glory, our honour, and the commonweal of that our realm : whereby ye shall please God, and do us acceptable service.

Given under our signet at the manse of Greenwich, the twenty-fifth of September in the second and third years of our reign."[1]

The new Archbishop, though willing to uphold the

[1] The letter is in the *Har. Mis.* and is there stated to be *copia vera, ex Libro nigro Sanctae Trinitatis Dublinii.* It is a Cathedral record and shows Christ Church to have been a Cathedral, subject to the Archbishop of Dublin.

policy of Mary, afterwards conformed under Elizabeth, and in 1569 was even translated to Oxford. Unless his views changed in later years, he cannot have been as staunch in his devotion to the old religion, as was Mary. His first sermon in Christ Church, in December, 1555, is said to have encouraged those favouring reform and to have raised their hopes. But evangelical language is quite compatible with Catholicism, and the reformers had not the monopoly of the Word of God, though they seemed to think so.

With the appointment of new bishops in sympathy with the Queen, the Church reverted to the state in which it was left by Henry VIII. Meanwhile in England things had gone further. On July 25, 1554, the Queen married Philip of Spain and henceforth her policy became less cautious. Probably she had hoped from the first for the restoration of the Pope's authority as she clearly disliked the title of Supreme Head, but now that she had married Philip, this was actually decided upon, and towards the end of the year the Second Act of Repeal was passed, by which the legal state of ecclesiastical affairs was restored to that of the year 1529. By this Act all ecclesiastical Acts against the jurisdiction and authority of the Roman See passed since that year were repealed; thus the authority of the Pope legally came to be what it was before the breach with Rome. Cardinal Pole was sent into England as Papal legate, and on St. Andrew's Day, 1554, he absolved England and restored the Church to unity with the See of Rome; early in the following year the persecutions for heresy commenced, Rogers, who was the first to suffer, being burnt on February 4th, 1555.

The official steps in Ireland were, naturally, some

time later than they were in England, partly because England had to be dealt with first, and also probably because there was no trouble over the changes in Ireland. The absence of any number of Protestants in the country accounts for the fact that there were no executions for heresy there, as there were in England. But the official way of dealing with the two countries was so much alike, that steps were taken which show that similar persecutions might have followed, if there had been any number of heretics to attract attention. In May, 1556, Viscount Fitz Walter (afterwards Earl of Sussex) came to Ireland as Lord-Deputy. By this time the fires of persecution had been raging in England more than a year. Instructions were given to him, which show that similar severe measures might have been allowed in Ireland, if found necessary. The instruction is dated April 28th, though it bears April 17th within it and is as follows :

" Instructions given by the King and Queen's Majesties the 17th of April the 2nd and 3rd year of their Majesties reigns, to Sir Thomas Radcliff, Knight, and Lord Fitz Walter, their Deputy in the realm of Ireland, George Archbishop of Ardemagh, Primate of Ireland and Hugh Archbishop of Dublin, their chancellor of the same, the Earls of Kildare, Ormand and Desmond, Sir William Fitz William, Sir Henry Sydney, Sir John Alen, Sir John Travesse and John Plunkett, their councillors of the said realm."

There are various instructions relating to different matters concerning the government of the kingdom, but the ecclesiastical affairs come first and are thus :

" Our said Deputy and Council, shall by their own good example, and all other good means to them

possible, advance the honour of Almighty God, the true Catholic faith and religion now by God's great goodness and special grace recovered in our realms of England and Ireland; and, namely, they shall set forth the honour and dignity of the Pope's Holiness and See Apostolic of Rome, and from time to time be ready with our aid and secular force, at the request of all spiritual ministers and ordinaries there, to punish and repress all heretics and Lollards, and their damnable sects, opinions, and errors. And when the most reverend father in God, our right trusty and right entirely beloved cousin, the Lord Cardinal Pole, being sent unto us from the Pope's Holiness and the said See Apostolic legate of our said realms, mindeth in brief time to despatch into our said realm of Ireland, certain his commissioners and officials, to visit the clergy and other members of the said realm of Ireland our will, pleasure, special regard, and express commandment is, that our said Deputy and Council shall, in all and everything belonging to the function and office legative, assist, aid, and further the same Commissioners, officials, their ministers, and commandments, for the advancement of God's glory, and the honour of the See Apostolic; so that the same commissioners and officials shall on their return report no lack in our said deputy and Council, or any other our ministers and good servants in this part."[1]

This evidently contemplates the possibility of persecution, as it will be observed the Deputy and Council are to be ready with "aid and secular force" to punish heretics; also spiritual ministers may request such secular force; also a legative Commission is to visit

[1] *Carew MSS.*

the clergy and others of Ireland. It is plain from these instructions that it was from no want of will on the part of the King and Queen that Ireland did not suffer like England.

In the same year that Fitz Walter was appointed, Ireland was directly by its own Parliament brought legally into line with England. Parliament was assembled and similarly, as had taken place in England in 1554, the nation was absolved from schism and reconciled with the See of Rome. A Bull from the Pope was delivered by the Lord-Deputy to the Lord Chancellor (that is, Curwin, Archbishop of Dublin), who read it distinctly and deliberately in open Parliament upon his knees. The Lords spiritual and temporal and also the Commons received it reverently kneeling and sang a *Te Deum*.

After this reconciliation, Parliament passed "An Act repealing statutes and provisions made against the See Apostolic of Rome, since the twentieth year of King Henry the eighth and also for the establishment of spiritual and ecclesiastical possessions and hereditaments conveyed to the laity" (3rd and 4th Philip and Mary, Chap. 8).

This Act stated that Cardinal Pole was sent by the Pope to call the people unto the right way. The tenor of the Bull of Paul IV was incorporated into it in the Latin tongue. The Act had a dual nature. It repealed all Acts against the See of Rome since the twentieth year of Henry VIII, and thus restored the legal ecclesiastical position to what it was in 1529. The Cardinal's dispensations were confirmed by Parliament. On the other hand, concerning the lands which had been alienated from the Church, it enacted that the monasteries granted to Henry VIII and the

lands, which were parcels of archbishops granted to Edward VI should continue to belong to the Queen, her heirs and successors, and that they should enjoy them as they then, or thereafter, should hold the same, saving rights of others, and the penalty for molesting any persons for the lands was that of *praemunire*. It was probably felt necessary to secure by law the possession of the alienated property, as to have required the present holders to have restored it, would have set them against the policy of the Government. Probably the Papal Bull was inserted into the Act to secure the present owners against any uncertainty of tenure, which might arise, if the Pope should afterwards require restoration; or, which might arise, from the position not being legally defined. It must be presumed that the Pope consented to the arrangement. Probably he saw that he could hardly expect to secure both the restoration of his authority, and of the lands, and so thought it wiser to secure the former and be content with it, rather than to secure neither.

In the Act the title of Supreme Head was laid aside and it was asserted that it could never be justly attributed to any King or governor. Writs and letters patent with the title might be kept and pleaded, but writings with the style of supremacy omitted were to be good notwithstanding. Bulls from Rome, not prejudicial to the royal authority, or to the laws in force, and which were not repealed in this Parliament might be put in execution, whether cancelled or not.

Spiritual persons were to execute jurisdiction, and no lay persons.

Chapter X of this same Parliament is "An Act for the discharge of first fruits," by which the Acts of

Henry VIII requiring first fruits and twentieths were repealed.

This same Parliament (Chapter IX) enacted "An Act for reviving of three statutes made for the punishment of heretics." These were the three statutes against heresy of Richard II, Henry IV, and Henry V respectively. Thus, it will be seen, the whole legal apparatus was at hand for a religious persecution. No such persecution followed, or at least, there is no record that any one suffered death for heresy in Ireland during Mary's reign. This may be largely accounted for by the small number of those who held Protestant opinions; such views were non-existent amongst the natives, and if there were a few English residents who held them, it may have been felt undesirable to set them against the Government, as they were the main upholders of the royal authority in the country. The natives were no more satisfied with the Government than they had been in the preceding reigns, neither was the policy of the Government towards them any more conciliatory; they were still considered as "wild Irish and enemies."

Though no persecution actually took place, it seems probable that it was intended to persecute any Protestants who might be found in the country. The Acts just referred to and the announcement to the Lord-Deputy in 1556, that Cardinal Pole was intending to send commissioners into Ireland to visit the clergy, make it seem probable. Agreeably to this, a story is told in Ware's Life of Archbishop Browne that Queen Mary towards the end of her reign granted a commission to call the Protestants in question in Ireland, as had been done in England, and that Dr. Coles, sometime Dean of St. Paul's, in London, was nominated

as one of the commissioners and was sent to bear the commission to Ireland. On his way he was visited at Chester by the Mayor of the city, to whom he related that in a leather box he had a commission to lash the heretics of Ireland. The woman with whom he was staying was favourably disposed to the Protestants and had a brother John Edmonds, who was a Protestant, in Dublin; she overheard his remarks, and watching her opportunity, while the doctor and Mayor were parting downstairs, she took the commission out of the box and put in a pack of cards with the knave of clubs faced uppermost and wrapped them up. Dr. Cole, not suspecting the trick, eventually arrived at Dublin on October 17th, 1558, where on presenting the box to the Lord-Deputy it was found that the commission had disappeared and the cards had been put in its place. The Deputy is said to have remarked, "Let us have another commission, and we will shuffle the cards in the meanwhile." The doctor, puzzled in mind, returned to England and got another commission, but before he was back again in Ireland the Queen died on November 17th.

Ware refers to Richard Boyle, Earl of Cork, and to the primates Henry and James Ussher as authorities for this story. He also says that Queen Elizabeth gave the woman who extracted the commission a pension of £40 a year. There is nothing improbable in the story, and it is told with much circumstantiality and quite fits in with the circumstances of the times. But if we assume it to be true, it does not establish the fact that there was a large number of Protestants in Ireland. True, it suggests that certain Protestants, like John Edmonds, went there because the country was free from persecution. But apart from

any such thing, the policy of repeating the steps taken in England is sufficient to account for such a step being taken in Ireland. Acts against Protestantism and heresy had been passed in the one country ; the same steps were taken in the other. Commissions to punish heretics had been issued in the one, therefore it was natural to issue a similar commission to the other.

There is no evidence to show that there was any desire to persecute for heresy in Ireland, either on the part of the people or of the Government. The jocular way in which the deputy Fitz Walter is said to have received the pack of cards instead of the commission, suggests that he was rather glad it was lost. If the commission were really sent, it seems likely that it originated in England.

CHAPTER XII

ECCLESIASTICAL LEGISLATION IN ENGLAND IN THE BEGINNING OF THE REIGN OF QUEEN ELIZABETH

Queen Mary died on November 17th, 1558, and sometime during the same month Elizabeth notified the Lord-Deputy and Council of Ireland of her death and recommended the proclamation of her own accession to be published in all convenient places.[1] The Irish Parliament did not meet until 1560, and as in the preceding reigns, the rearrangements of religion had first to be carried through in England ; while this was being done, Irish ecclesiastical affairs probably remained *in statu quo*, though possibly the surviving dispossessed bishops began to have hope of being restored to their not altogether happy positions. At least Staples seems to have had some such hope, for as early as December 16th, we find him writing to Cecil and relating his troubles in the late reign, mentioning his deprivation for marriage, and that the Lord Cardinal laid a grievous article against him, that in a sermon he had presumed to pray for his old master's soul (presumably King Edward, though possibly Henry VIII), and he begs that his supplication be recommended to the Queen.[2] The charge of the

[1] Morrin, *Patent Rolls*, gives the date of her proclamation in Dublin as December 11th and the letter requiring it as November 20th (Roll 1, Dorso Membrane 1 ; 226, 227. Elizabeth I.

[2] Hamilton, *Calendar of State Papers*, Vol. III, 8.

Cardinal here referred to is obscure. Does it refer to Edward VI, or to Henry VIII ? And why should it have been a grievous fault in Pole's eyes to have prayed for a departed soul ? Queen Mary had had a Requiem Mass for Edward VI. The clergy of Kilkenny had desired Bishop Bale to celebrate one also. Pole then in spite of Edward's Protestantism could hardly have considered it wrong to pray for his soul. The charge may possibly refer to Henry VIII, as he was under Papal Excommunication at the time of his death, and to have publicly prayed for him may have been an offence in the eyes of Pole, the Papal Legate. From his letter it appears Staples had hope of some redress. He was not, however, restored to Meath ; possibly he died before it could be done. Bale, also, had evidently attracted the Queen's notice, as sometime, probably in 1559, she wrote to Wareham St. Leger and Robert St. Leger to send over the books and writings which he left behind him, when he was occasioned to depart out of Ireland, and she speaks of him as " a man that hath been studious in the search for the history and antiquities of this our realm," and she required the writings " for the illustration and setting forth of the story of this our realm."[1] From Bale's own description of his experiences, it is hardly likely that he would want to return to Ireland, unless he had a fanatical notion that he could do good. But this letter shows he had in some way obtained the Queen's interest. He eventually was made a prebendary of Canterbury Cathedral.

Although a few of the deprived bishops and the members of the Government may have been meditating change, the people of Ireland themselves did not want

[1] Hamilton, *Calendar of State Papers*, Vol. III, 85.

a reformation and those in authority knew it. The document known as the "*Device for the alteration of religion*" gives as one of the dangers likely to ensue, when such alteration took place, that Ireland "will be very difficultly stayed in their obedience, by reason of the clergy that is so addicted to Rome."[1]

The *Device* shows that while changes were contemplated in the ecclesiastical arrangements of England, it was foreseen that there would be various difficulties to be surmounted. For example, its second paragraph shows it was foreseen that the Pope would excommunicate the Queen, interdict the realm and give it as a prey to all foreign princes that would enter upon it and that he would incite them thereto by all manner of means; it was also foreseen that there would be discontent, not only on the part of those who held to the Church of Rome, but also of those who desired a more radical reformation than was intended, and that they would call the alteration a cloaked papistry, or a mingle mangle. On account of these things, it was resolved to proceed cautiously, and until such time as the Committee appointed for the purpose should have reviewed the Prayer Book, and it should have the authority of the Queen and Parliament, all innovation was straightly prohibited, save certain things allowed to the Queen for her own conscience openly, before the whole alteration; but if the alteration should tarry long, similar concessions might be made to the whole realm, as an interim. The example set in the Queen's chapel was apparently, in case the alteration were long

[1] The *Device* is printed in Gee, *The Elizabethan Prayer Book and Ornaments*; for passage quoted, see p. 196 there.

delayed, to be the model for the whole realm. This section of the *Device* is as follows: "To alter no further than Her Majesty hath, except it be to receive the Communion as Her Highness pleaseth on High Feasts. And that where there be more chaplains at Mass, that they do always communicate in both kinds. And for Her Highness's conscience till then if there be some other devout sort of prayers or memory said, and the seldomer Mass."[1] If then in England, notwithstanding the large desire for change, it was endeavoured to prevent any alteration before there was legal authority for it, we may feel confident that in Ireland, where there was practically no desire for change, things continued as they were, until official action was taken.

The ecclesiastical legislation for the settlement or alteration of religion did not tarry long in England. The first half of the year 1559 saw the passing of the Acts of Supremacy and of Uniformity. The former was passed on February 25th and its spirit was the same as that of Henry VIII, though there were some differences and additions. It is entitled "An Act to restore to the Crown the ancient jurisdiction over the state ecclesiastical and spiritual and abolishing all foreign power repugnant to the same." From this it appears that the intention was to restore the legal position to what it had been before the passing of the Act of Philip and Mary, which revived the Papal jurisdiction. This Act (1 and 2 Philip and Mary, c. 8) was expressly repealed by the Supremacy Act, which declared that by it "subjects were eftsoons brought under an usurped foreign power and authority, and did yet remain in that bondage." It repealed also the Statutes

[1] Gee, *Elizabethan Prayer Book*, p. 201.

of Mary's reign against heresy. It revived ten Acts of Henry VIII's reign, namely,

23	Henry VIII,	cap	9.	Citations.
23	,,	,,	20.	Annates.
24	,,	,,	12.	Appeals.
25	,,	,,	19.	Submission.
25	,,	,,	20.	Consecration.
25	,,	,,	21.	Dispensations.
26	,,	,,	14.	Suffragans.
28	,,	,,	16.	Dispensations.
32	,,	,,	38.	Precontracts.
37	,,	,,	17.	That married men might be ecclesiastical judges.

It also confirmed the repeal of all other laws of Henry VIII which had been repealed in the late reign. The Act stated : " All other laws and statutes repealed by the Act of repeal made in the time of the late King Philip and Queen Mary, *and not in this present Act specially mentioned* and revived, shall stand, remain, and be repealed, and void." The Act of Supreme Head (26 Henry VIII, cap 1) had been repealed by Philip and Mary, and was not mentioned in this Act of 1 Elizabeth, cap 1. It thus follows that, except in so far as its enactments were renewed in this Act, it remained repealed. This is important, because by it the title of Supreme Head still remained repealed, as the Act did not reassert it, but applied another to the Sovereign, namely, that of Supreme Governor of the realm as well in all spiritual or ecclesiastical things or causes as in temporal. This title, which was less objectionable than the abandoned one, though it involved practically the same power, was incorporated into an oath which had to be taken by all officials, and the same oath, though

it did not mention the Bishop of Rome, required the acknowledgment "that no foreign prince, person, prelate, state, or potentate hath or ought to have any jurisdiction, power, superiority, pre-eminence, or authority ecclesiastical or spiritual within this realm," and also the utter renouncing and forsaking of all "foreign jurisdiction, powers, superiorities, and authorities." All jurisdiction, visitatorial or corrective, that had been or might lawfully be exercised by any spiritual power and authority was united to the Crown and the Queen was authorized to exercise such power by commissioners. The commissioners were to judge no matter to be heresy except upon the authority of the Canonical Scriptures, and of the first four general Councils, or of any other general Council acting on the plain words of the Canonical Scriptures, or such matter as should thereafter be determined to be heresy by the High Court of Parliament with the assent of the clergy in Convocation. It was made treason to maintain foreign authority for a third offence.

The title given to the Queen by this Act was less objectionable than that of the Act of Henry VIII, where the King was declared "Supreme Head in earth of the Church of England." In Elizabeth's Act, not only is the title "head" dropped, but she is not expressly asserted to be even the Supreme Governor of the Church of England, but only the Supreme Governor of the realm in spiritual and ecclesiastical things as temporal. It must, however, in fairness be admitted that notwithstanding the smoothing of the language, it might be understood by the adherents of the Church of Rome to involve all that was objectionable in the former title. Indeed, they may perhaps have felt the title to be not quite as honest as the former one, as

the claim to be the only Supreme Governor of spiritual things in the realm did not differ much from that of being the Supreme Head in earth of the Church of England. Coming after the former title, it occasions no surprise that many found it no easier to reconcile with their consciences than the other.

The same English Parliament in the month of April passed the Act of Uniformity (1 Eliz. c. 2). This restored, with a few alterations, the second Prayer Book of Edward VI, which was by the Act to come into use on the following St. John Baptist's Day (June 24th). The clergy were bound, under severe penalties, to use this book, similarly as they had been in the Acts of Uniformity of Edward VI; the fines of open depravers were increased for first and second offences, from £10 and £20 to 100 marks and 400 marks respectively, while the penalty for a third offence was left as it was. In the case of this Act, penalties were extended to laymen for not attending Church on Sundays. By Edward's second Act of Uniformity, they had been liable to ecclesiastical censures for such neglect, but now the penalty was a fine of 1s. per Sunday. By these two Acts the official religion of England was legally settled, and now having a policy to pursue it was possible to give attention to Ireland, which, for better or worse, must of course follow England.

CHAPTER XIII

THE ECCLESIASTICAL LEGISLATION OF ELIZABETH'S FIRST IRISH PARLIAMENT

WHILE the alterations in the settlement of religion were being proceeded with in England, Irish ecclesiastical affairs remained as they had been under Mary, and not until August 30th, 1559, was there, so far as is known, any innovation in the Church services. Fitz Walter, now Earl of Sussex, continued in office as Lord-Deputy and his authority was renewed by a commission, which, amongst other things, instructed him "to set up the worship of God as it is in England, and to make such statutes next Parliament as were lately made in England"; he was also instructed to fill vacant ecclesiastical promotions by meet and proper persons. The commission also provided for the punishment of rebels and invaders; it thus seems that the possibility of disturbance was not unforeseen.

On Wednesday, August 30th, 1559, the Earl of Sussex took the oaths as Lord-Deputy, and the English Litany was sung in Christ Church Cathedral, Dublin. There had as yet been no legislation in Ireland since the accession of the Queen, but in instructions given by her, on July 19th, 1559, she had charged the Deputy and Council that they set the service of Almighty God before their eyes and also that the Deputy and as many of the Council as were native-

born subjects of the realm of England should use the rites and ceremonies which were by law appointed, at least in their houses.[1] Orders concerning religion were frequently issued by the Tudor sovereigns, and sometimes with apparent suddenness; we have a well-known instance of this in the case of the Queen ordering Oglethorpe, Bishop of Carlisle, not to elevate the Host at Mass. The singing of the Litany on the occasion referred to was no doubt due to the Queen's order. To use the Litany in English was not illegal, as even in Mary's reign an English Litany had been issued and used, at any rate in England, and this Litany was substantially the same as that of Edward VI, though it differed slightly in the wording and in omitting the clause against "the Bishop of Rome and all his detestable enormities."

We may cite Bishop Bale as a witness that an English Litany was used in England in Mary's reign. In his *Vocacyon* he tells us that when he fled from Ireland in Mary's reign, he landed at St. Ives in Cornwall, and went into the Church, where he says they observed the Matin hour, holy water making, and Mass, all in Latin, with "nothing in English but the poor Litany."

The singing of the English Litany, though not illegal, was regarded in Dublin as a forerunner of coming changes in the religious settlement, and Curwin, Archbishop of Dublin, afterwards wrote to Parker, Archbishop-elect of Canterbury, that the singing of the English Litany had given great offence to some, who reckoned the Mass in danger of being laid aside.[2] These fears were well grounded; it was

[1] *Carew MSS.*, 218, 1559.

[2] Strype, *Parker*, Book I, Chap. IX, Vol. I, p. 90.

known in England that the change of religion was to be proposed, and rumours of it may already have reached Ireland. The Spanish Ambassador, writing on August 18th, thought that the Irish Parliament was to be convoked on the following Michaelmas Day and that the change of religion was then to be proposed.[1] It did not, however, take place so quickly.

The letter of Archbishop Curwin just referred to shows that, although he had held the See of Dublin under Mary and had displaced Browne, he had either changed his views, or his convictions were not very decided, one way or the other, and so could adapt his policy to the circumstances of the times. He relates (according to Strype) a fraudulent miracle perpetrated by a monk named Leigh and others, by which a marble image of Christ in Christ Church, Dublin, was made to appear to bleed, and it was alleged that this took place because heresy had come into the Church. The fraud was found out and exposed, and the following Sunday the Archbishop preached before the Lord-Lieutenant and Council and exposed the cheats, who were present with their hands and legs tied, and who were afterwards imprisoned for a time and then banished. As the result of this, over a hundred persons are said to have sworn never to hear Mass any more. This was not altogether logical, because a fraudulent use of an image is no proof that the Mass is wrong, but this incident is evidence of some reaction in favour of reform. On September 10th the Archbishop caused the image to be broken down. He had previously, on coming to Dublin, set it up, after it had been removed by Archbishop Browne. There may, however, have been

[1] *Spanish State Papers.*

nothing insincere in his action, as the fraud may have convinced him that it would be a good thing to remove the image; but it is plain from the whole transaction that he was not unwilling to accept the changes which were contemplated. As he took this line, it would facilitate the progress of the royal policy in Ireland.

Parliament did not meet until January, 1560, and the same Deputy, the Earl of Sussex, who had assembled Parliament in Mary's reign, for the purpose of changing the religious settlement, had now the office of proposing another change. There is no record of the actual proceedings of this Parliament, except the Acts passed by it, though there is a record describing its composition, preserved in the Record Office, Dublin. In this the date of the Parliament is given as "*die Veneris proxime ante Festum St. Hilarii, viz.* 11 *die Jan. anno regni Reginae E. secundo.*" It professes to give the names of the Lords spiritual and temporal and of the Commons who were summoned, though it does not assert that they all attended (*nomina Dominorum spiritualium et temporalium ac Communium in parliamento summonito et tento*). The names, or titles, of twenty spiritual Lords are given as follows:[1]

"Domini Spirituales.

1. Hugo Dublin, Archieps Hiberniaeque primas, dominus canc, Hiberniae.
2. Rollandus Cassil, Arps.
3. Christophorus Tuam, Arps.
4. Willielmus Midensis, Eps.
5. Patricius Wat. and Lismor, Eps.

[1] The list of Bishops is given in King, *Primer*, p. 1209. Ball, in *The Reformed Church of Ireland*, also gives it with further information about the record, pp. 328 f.

6. Rogerus Cork and Clon, Eps.
7. Alexander Fern, Eps.
8. Thomas Darensis, Eps. (Darensis is Kildare.)
9. Thomas Leghlin, Eps.
10. Johannes Ossorien, Eps.
11. Imolacensis, Eps. (Imolacensis is Emly.)
12. Hugo Lymericen, Eps.
13. Rollandus Clonfert and Elph, Eps.
14. Eugenius Dunen, Eps. (Dunen is Down.)
15. Eps. Rossensis.
16. Eps. Laonensis. (Laonensis is Killaloe.)
17. Eps. Coranensis. (Coranensis is Achonry.)
18. Eps. Aladensis. (Aladensis is Killala.)
19. Eps. Ardfertensis.
20. Eps. Ardacadensis. (Ardacadensis is Ardagh.) "

It will be noticed that all the first fourteen have their title of Archbishop, or Bishop, placed after their names and all the same fourteen, except one (namely, Imolacensis) have their Christian names also given. In the excepted case of Imolacensis, it seems probable that the Christian name was originally given but has become obliterated. The last six, it will be observed, are differently described; their Christian names are not given, and instead of them, their titles are placed before the names of their Sees. It is probable that the first fourteen attended, and that the other six, although summoned, did not attend; or possibly their attendance was not certainly known when the record was compiled, though some think they all attended (for example, Mr. Bagwell). No certainty can be arrived at, though the difference in describing the bishops is curious. It may be accounted for on the

supposition that the bishops who were present signed some register of their attendance, which afterwards got into the hands of the compiler of the present record, and that the compiler copied the signatures as they were and added the names of the Sees of those who were not present. Or again, if all the twenty bishops attended, it may be accounted for by supposing that they left no signatures behind, and that the compiler did not know all their names and consequently put down the names which he knew, and designated by their titles and Sees only, those whom he could not more fully describe.

The titles of twenty-three temporal lords are given consisting of *comites*, *vicecomites*, *barones*, and *domini*.

The attendances or summonses of the Commons are as follows: Under the head of *milites* (knights) are given the names of twenty counties, of which ten have the names of members (two for each), twenty-nine boroughs and cities, of which twenty-eight have the names of members (two for each).

The ten counties for which names are given are Dublin, Meath, Westmeath, Louth, Kildare, Catherlow, Kilkenny, Waterford, Tipperary, and Wexford.

Those for which names are not given are Cork, Kerry, Limerick, Connaught, Clare, Antrim, Ardes, Down, King's County, and Queen's County. As these counties were much more remote from the sphere of English influence than the other ten, they would be less likely to return members, and so the absence of names shows it likely that no members from them attended. This also strengthens the supposition already dealt with regarding the absence of some of the bishops.

The session of Parliament seems to have lasted a

few weeks, and the legal settlement of religion was made parallel for the most part to that of England. There is not much evidence as to the manner in which the various Acts were carried through, though some remarks of Quadra the Spanish Ambassador show that there was opposition. In February, 1560, writing to Feria, he says that "the Catholic religion has been suppressed in Ireland, though not without great opposition." About the same time (February 12th), writing to the Duchess of Parma, he says: "In Ireland the Parliament passed the same decree about religion as here (i.e. in England), although against great opposition and in spite of the refusal of the Earl of Desmond and others to take part in it. Preachers and books are being sent there."[1] Writing on the same subject to Philip II, he says: "They only passed it with so much opposition and tumult that five bishops were arrested. The decree has been carried out in Dublin and the rest of the country has been given until May." There may have been grounds for Quadra's statements, though the arrest of five bishops does not seem likely, as only two (Walsh of Meath and Leverous of Kildare) are known to have refused to accept the alterations. Quadra was not in Ireland, and as the Irish Parliament did not meet until January 11th, and he wrote on February 12th, he may have owed his information to reports, which he had but little time to verify. Again, as the legislation was carried out in less than a month (as appears from his letter of February 12th), it would seem that the opposition could not have been very powerful, or longer time would have been taken over it, unless, indeed, his report about five bishops being arrested

[1] *Spanish State Papers.*

may be taken to signify that opposition was overcome by force.

The legislation of this Parliament is represented by four Acts. The first (2 Eliz. c. 1), " An Act restoring to the Crown the ancient jurisdiction over the State ecclesiastical and spiritual, and abolishing all foreign power, repugnant to the same," was, for the most part, a repetition of the English Act of the same time. The main provisions of the two Acts were the same and need not be repeated. The Queen was acknowledged only as " Supreme Governor of the realm, and of all other Her Highness's dominions, and countries, in all spiritual or ecclesiastical things or causes as well as temporal." All persons holding or taking ecclesiastical or civil office had to take an oath acknowledging the Queen as such, or forfeit the office.

The oath was as follows : " I A.B. do utterly testify and declare in my conscience that the Queen's Highness is the only Supreme Governor of this realm, and of all other her Highness dominions and countries, as well in all spiritual and ecclesiastical things or causes, as temporal, and that no foreign prince, person, prelate, state, or potentate, hath or ought to have any jurisdiction, power, superiority, or pre-eminence or authority ecclesiastical or spiritual within this realm, and therefore I do utterly renounce and forsake all foreign jurisdiction, power, superiority, and authorities and do promise that from henceforth I shall bear faith and true allegiance to the Queen's Highness, her heirs and successors, and to my power shall assist and defend all jurisdictions, privileges, pre-eminences, and authorities, granted and belonging to the Queen's Highness, her heirs and successors, or united and annexed to the imperial crown of the realm,

so help me God, and by the contents of this book."

As in its English forerunner, the Acts of 3rd and 4th Philip and Mary, Chaps. 8 and 9 (Irish), which had restored the authority of the Pope, and the Statutes against heresy respectively, were repealed. There is, however, one point in which the Irish Act differs from the corresponding English one, and that is in the definition of heresy. The English Act, as has already been stated,[1] contained a definition which was not in the Supremacy Act of Henry VIII.

The Irish Act, in enacting this provision, omitted the reference to the assent of the clergy in Convocation; the effect of this was to allow Parliament, without the assent of Convocation, or of any other ecclesiastical body, to determine what was heresy. This was not so great a difference as might appear. There was, so far, no Convocation in the Irish Church, to which questions of heresy or anything else could be referred. Perhaps it was owing to this, rather than from any desire to ignore the Church, that the reference was omitted. The Tudor sovereigns and governments had their own ways of making Convocation assent to what they desired, so it did not make much difference in practice whether the right of consultation were granted or not.

The second was "An Act for the uniformity of common prayer and service in the Church and the administration of the Sacraments," which is commonly spoken of as the Act of Uniformity (2 Eliz. Chap. 2 (Irish), 1560). This applied the English Act of Uniformity to Ireland, and by it the Prayer Book was enjoined under the same penalties as in England and

[1] See p. 191.

became the only legal form of Church service. It referred to the Statute 1 Mary, Chap. 2, Session 2 (of England), repealing Edward's Act of Uniformity, (though this had never been enacted in Ireland), and revived the Prayer Book to be of force from the following Pentecost. It was to be used by all ministers from the feast of St. John the Baptist (June 24th) and by that day Prayer Books were to be provided at the parishioners' cost, but if they could be provided earlier they were to be used in three weeks after obtaining them. The Book was to be the second book of Edward VI with certain specified alterations, namely, the addition of proper Lessons for Sundays; some alterations in the Litany; and the words of administration to be used at the delivery of the Sacrament which were formed by uniting the sentences which had been used in both the first and second Prayer Books. The penalties for refusing to use the book, or for using any other, or for speaking and preaching in derogation thereof, if convicted by a verdict of twelve men, or of the offender's own confession, were in the case of beneficed clergy, for a first offence, forfeiture of one year's profits of the benefice and six months' imprisonment; for a second offence, deprivation and one year's imprisonment, and for a third, deprivation and imprisonment for life.

Unbeneficed clergy were liable to one year's imprisonment for a first offence and for a second to imprisonment for life.

There were also penalties for depraving and despising the said book by interludes, plays, songs, rimes, or other open words, and for causing other further prayer to be said, and for interrupting the minister. These were for a first offence a fine of 100 marks, or

if not paid within six weeks, six months' imprisonment instead ; for a second offence, a fine of 400 marks, or twelve months' imprisonment ; for a third, forfeiture of goods and chattels and imprisonment for life.

All persons not having reasonable excuse were to resort to their parish church on holy days, on pain of church censures and a fine of twelve pence, levied by the churchwardens, for the use of the poor, by way of distress.

Ordinaries were to set the Act in execution and were empowered to punish by censures. Justices of the peace might hear and determine the said offences and make process for execution. The Bishop might join himself with the justices of the peace in inquiries within his diocese. Indictment was to take place at the next general sessions ; otherwise offenders were not to be impeached or molested.

Ordinaries might inquire and punish, as heretofore, by ecclesiastical laws, but no one was to be punished twice by both justice and ordinary for the same offence. All laws and ordinances for other services than those of the Prayer Book were to be void. It remains to notice some differences between the corresponding Irish and English Acts. The English one had enacted " that such ornaments of the Church and of the ministers thereof, shall be retained and be in use, as was in the Church of England, by authority of Parliament, in the second year of the reign of King Edward VI, until other order shall be therein taken, by the authority of the Queen's majesty with the advice of her commissioners appointed and authorized under the great seal of England for causes ecclesiastical, or of the metropolitan of this realm to ordain and publish such further ceremonies or rites as might be

most for the advancement of God's glory, the edifying of His Church, and the due reverence of Christ's holy mysteries and sacraments." The Irish Act allowed commissioners to be authorized under the great seal of Ireland, as well as under that of England, and in addition to the " other order " " by the authority of the Queen's Majesty," allowed order to be taken by the authority of the Lord-Deputy, or other governor, or governors of the realm of Ireland for the time being, with the advice of the Council of the said realm under the great seal thereof. It could not have been intended by this that the Lord-Deputy and Council should take action by themselves, apart from the Queen and Council of England, in making changes in Irish ecclesiastical arrangements. It was intended that such arrangements should follow England, only it was desirable that the Deputy should have legal authority to carry out the various English changes, as acting on behalf of the Queen and Council of England. How thoroughly it was intended that the Irish Church should follow the English is incidentally shown by the provision that the ornaments of the Church and Ministers should be as they were in the Church of *England* by the authority of Parliament, in the second year of the reign of King Edward VI. It does not refer to any previous use in the Church of Ireland. There were obvious reasons for this, because in the second year of Edward VI the changes made in England had not been introduced into Ireland, and things there were still as they had been in the latter part of the reign of Henry VIII. It has been and still is a subject of much controversy, what is precisely meant by the second year of Edward VI, both in this clause of the Act and in the revised form in which it afterwards appeared

in the ornaments rubric of the English Prayer Book. But whatever it means, or does not mean, it is some use of the Church of *England* that is referred to, and the authority of Parliament is that of the English Parliament, as no Irish Parliament met in the reign of Edward VI. Hence it is clear that it was intended that the Irish Church should follow the English.

The Irish Act contained a notable provision which was not in the English one, which arose out of the peculiar conditions of the country: "That in every such church or place where the common minister or priest had not the use or knowledge of the English tongue, he might say and use the Matins, Evensong, Celebration of the Lord's Supper, and Administration of each of the Sacraments, and all their common and open Prayer, in the Latin tongue, in the order and form mentioned and set forth in the book established by this Act." The Act assigns its own reasons for this enactment as follows: "And forasmuch as in most places in Ireland there could not be found English ministers to serve in the churches or places appointed for Common Prayer, or to minister the Sacraments to the people, and if some goodly means were provided for the use of the Prayer, Services and Administration of Sacraments set out and established by this Act, in such language as they might best understand, the due honour of God would be thereby much advanced: and for that also, that the same might not be in their native language, as well for the difficulty to get it printed, as that few in Ireland can read the Irish letters."

This was a very strange provision, and especially so as in Edward VI's reign directions had been given to Crofts to have the Prayer Book translated into Irish. To allow the Prayer Book to be used in Latin as a

temporary expedient, until an Irish version was prepared, was intelligent enough, but to enact that it might *not be in the native language* leads to the suspicion that the Government was not sincere. If, as the reformers held, it were "repugnant to the Word of God"[1] to have Common Prayer in a tongue not understood of the people, the use of the English Prayer Book, in either English or Latin, amongst those who only understood Irish, would be as wrong as the Mass in Latin, and in some ways even more wrong, because the people were familiar with the structure of the Mass, as they had been accustomed to it all their lives, while the English Prayer Book was new and unfamiliar to them. The alleged difficulties of printing an Irish version and of the small number of people who were able to read the Irish letters, sound more like excuses than genuine reasons. If it were a matter of principle to have the Church service in a tongue understood by the people, then steps should have been taken to overcome the difficulty of printing, and if the Irish could not read their own letters, they might have been taught to do so, surely as easily as they could have been taught to read either English or Latin. It seems hardly credible that Irish priests could not read their own language. It is as likely as not, that the prohibition of an Irish Prayer Book was part of the policy of anglicizing Ireland. As Irish priests could not read English, and English priests were unwilling to serve churches in districts where only Irish was understood, the Government from necessity was obliged to waive the requirement of the English language in the services of the Irish Church. As it had been long desired to check the use of the Irish language, because many

[1] Article XXIV of the XXXIX Articles of Religion.

English settlers had adopted it in time past, and as the Irish had been able by some means or other to attract the English to their own ways, it was probably felt better to keep Irish out of the Church service and allow Latin instead. True, this might be to put politics before religious principle, but governments have often yielded to such temptation. There is, however, another possible explanation of this strange provision of the Act. Some have opined that this clause was introduced by the opponents of the Act, in hope of keeping the service in Latin. The Irish had no desire (so far as we have means of judging) for Irish services ; they were quite satisfied with the Mass and other existing Latin offices. Even in England, in Edward VI's reign, rebels had demanded to have Mass in Latin instead of English. It would not be contrary to this state of mind to propose such a clause for the sake of preserving the use of the Latin language in the services of the Church. It may have been thought that to retain the Latin tongue would make easier the eventual restoration of the Latin Mass.

The carrying out of this provision would necessitate a Latin Prayer Book. There had already been other reasons for preparing a Latin version. The first Act of Uniformity of Edward VI had allowed the services (except Holy Communion) to be in Latin in the Universities. There had been in Edward's time a Latin version of the Book of 1549 brought out by Aless, though it was not a literal rendering of the English Book. In 1560, another Latin Prayer Book was brought out by Walter Haddon, though this again did not literally agree with the Elizabethan English Book. Permission was given by Royal Letters Patent for the use of the latter version in the Universities, and in this

case the permission was extended to include the Holy Communion. It is probable that the needs of Ireland were borne in mind when this book was published. There were two different editions of it in 1560. One of these did not contain the occasional offices of Baptism, Confirmation, the Catechism, Matrimony, and the Churching of Women, though it had the Visitation and Communion of the Sick, the Burial of the Dead, and a form for the Commemoration of Benefactors. This would meet the needs of the Universities, where the offices omitted would not be required. The other edition contained the occasional offices, though they were not in the places corresponding to those of the English Book, but were added after the Burial Office. Hence it is not at all unlikely that these offices were added to meet the needs of Ireland, as they would not be needed in the Universities, or in the Churches of England.

No Irish edition of the Prayer Book was printed until 1608, when one was put forth, translated by William Daniel, or O'Donnell, Archbishop of Tuam.

The third Act of this Parliament (2 Eliz. Chap. 3, 1560) was entitled " An Act for the restitution of the first fruits and XX part, and rents reserved *nomine* X or XX and of parsonages impropriate to the Imperial Crown of this realm." This restored to the Crown those sources of revenue consisting of first fruits, twentieths, and appropriations,[1] which had been given back to the Church in the reign of Queen Mary. The Act referred to three Acts of 28th Henry VIII, namely, Chap. 8 for first fruits, Chap. 26 an Act for the first fruits of abbeys, priories, and colleges, and Chap. 14

[1] Appropriations were emoluments which had been appropriated by monasteries.

for the twentieth part, and stated that without contradiction the clergy for twenty years had paid these sources of revenue to the Crown, and that they had been made to cease by the Act of 3 and 4 Philip and Mary, Chap. 10. The late Queen, it was asserted, had restored these rights to the Church by procurement of King Philip, her late husband, upon "zealous and inconvenient respects, and not having due regard to the maintenance and good continuance of the state of the Imperial Crown in succession, which rather needed augmentation than any diminution." It was enacted that the said Act of Philip and Mary be repealed and the said Statutes of Henry VIII be revived. The Queen was also to have advowsons of vicarages belonging to rectories. Vicarages not exceeding £6 13s. 4d. and parsonages not exceeding £5 after the book of rates in the Exchequer were discharged from first fruits; also hospitals for the poor and schools were not to be charged with the first fruits or twentieth part. There were various regulations as to details connected with these payments; for example, if an incumbent died after holding a benefice only half a year, his administrators were liable for a quarter of the first fruits; if he died after holding it a year, they were liable to one-half; after one and a half years, to three parts; and after two years to the whole.

The fourth and last Act of this Parliament (2 Eliz. Chap. 4, 1560) regulated the appointment of bishops and was entitled "An Act for the conferring and consecrating of archbishops and bishops within this realm." The manner of appointing bishops was to differ in form, though not in reality, from the procedure followed in England. In the latter country elections to bishoprics were made by the deans and chapters

of the Sees, who had to elect the person nominated by the Crown. In Ireland, by this Act, the appointments were to be made directly by the Crown, by patents under the Great Seal of England, consequent upon instructions or letters missive from the Queen and her successors. This undisguised Erastian method of appointment was quite unfair, as the Church was left without any voice in the choice of bishops, but it was no worse in actual fact than the method followed in England, as that was equally Erastian though in a more disguised form. It was probably felt that the Irish chapters could not be relied upon to submit to the royal will; if the chapters had been obliged to elect the person nominated by the Crown and could have been trusted to do so, the English process would have suited the Government equally well in Ireland. But it was more difficult to control the Irish chapters, especially in the remote parts of the country, and it was probably felt that to have applied the English Act would have been to invite resistance and to leave opportunity for strife. Indeed, there is something very honest about some of the assertions of the Irish Act; for instance, it said that "elections of archbishops and bishops, by deans and chapters within the realm of Ireland, were to the delay and cost of such persons" as the Queen appointed and that these elections were "in very deed no elections, but only by a writ *congé d'elire* had colours, shadows, or pretences of elections, serving to no purpose, and seeming also derogatory and prejudicial to the Queen's prerogative royal, to whom appertaineth the collation of all archbishoprics and bishoprics within her said realm." Quite true! But why was this sham process continued in England? By the Act the nomination to a

bishopric was to be signified to the Archbishop of the province, or if the archbishopric of the province were vacant, to such Archbishop in the realm as such please the Queen ; an appointment to an archbishopric was to be signified to an Archbishop and two bishops, or to four bishops. There was a clause enacting that in the case of an Archbishop the consecrating Archbishop and bishops were to " give use to him, pall and all other benedictions, ceremonies and things requisite for the same, without seeing, procuring, or obtaining hereafter any bulls, or other things, by or from any foreign authority or power, for any such office or dignity, in any behalf." This rather suggests that it was still taken for granted that archbishops should continue to use the pall, and it would seem difficult to disprove the legality of such an ornament in face of this clause. But no provision was made in the Ordinal or any other part of the Prayer Book for the delivery of it, and some might contend that this omission makes the bestowal of it illegal. Probably, at the time when the Act was drawn up, it had not been clearly seen that the pall was not an essential part of the archiepiscopal *insignia*, but the intention of the Act was to provide that whatever was requisite to the office should be bestowed without any foreign authority.

The penalties of *Præmunire* (25 Edward III and 16 Richard II, ch. 5) were decreed for the prelates who refused to invest and consecrate within twenty days after the letters patent came into their hands, or for executing anything contrary to the Act.

So far as Acts of Parliament could do it, the official religion of Ireland was now made the same as that of England, but this was not the same thing as altering

the religion of the people. It has already been said that Quadra wrote to Philip II telling him that the change had been carried out in Dublin, but that the rest of the country had been given until May.[1] There is reason to suppose that there were signs that the Acts would not work smoothly, as according to Ware, soon after the dissolution of Parliament, Sussex went to England to consult the Queen. Possibly the consultation was as to the method of getting the clergy to accept the new regulations. He returned to Ireland with the title of Lord Lieutenant, and Ware tells us that three weeks after his return, he received letters from the Queen, signifying her pleasure for a general meeting of the clergy of Ireland, and the establishment of the Protestant religion through the several dioceses of the kingdom. In addition to Ware, the *Loftus MS.* in Marsh's Library, Dublin, tell us such a meeting was held. The statement there is as follows: "1560—This year was held a convocation of bishops at the Queen's command, for establishing the Protestant religion, but William Walsh, Bishop of Meath, would not conform thereunto, but for practising against it was committed to custody, afterwards imprisoned, and at length deprived of his bishoprick." Ware gives the date as 1559, but it is evident that in both cases the reference is to the same meeting. If it were held before March 25th, according to the old reckoning, it would be 1559, but this, though not impossible, seems unlikely, as Sussex, after the close of Parliament, is said to have journeyed from Dublin to London and back again, and to have been back three weeks before the meeting of the bishops took place. No details of those who attended, or of what happened

[1] See p. 199.

at the meeting, are known except that, if Ware is correct, the Book of Common Prayer newly come over was ordered to be observed. This process of summoning a meeting of clergy and ordering them to use the Prayer Book was analogous to what had happened in 1551, when St. Leger offered the first Prayer Book of Edward VI to a similar assembly. There was, however, one difference, in the case of the meeting of 1560, the Prayer Book then offered had already been made the only lawful service book by Act of the Irish Parliament, while in 1551 the book had not been submitted to the Irish Parliament at all. Ware adds a little to the statement of the *Loftus MS.* about Walsh; he tells us he was very much enraged after the assembly had dispersed, and fell to preach against the Common Prayer in his diocese at Trim, and for this the Lord Lieutenant confined him, till he acquainted the Queen, who sent over her orders to "clap him up in prison."

As no other bishops are mentioned as opposing the changes, it is not unreasonable to suppose that all the rest of those who attended the meeting conformed, at least outwardly, to the Queen's orders. Leverous, Bishop of Kildare, is known to have refused compliance and probably did not attend the meeting. Both he and Walsh were eventually deprived of their Sees. Leverous seems to have objected to a woman being Supreme Governor of Christ's Church, but there is nothing to show that he violently opposed the Prayer Book, and he does not seem to have been further punished than by deprivation. He is said to have supported himself afterwards by keeping a school in Limerick; Walsh, being more violent, after being imprisoned is said to have been banished and to have died at Alcala in Spain, in 1577.

Evidence that Walsh and Leverous refused to take the oath of Supremacy is found in the Deputy-Keeper's Reports, where we have recorded that in 1558–9 a Commission was granted to Sir William Fitz William, Sir George Stanley, John Plunkett, Robert Dillon, James Bathe, John Parker, Jaques Wyngfelde, and Humphrey Warren to administer the oath of Supremacy under 2 Eliz. Chap. 1. This Commission certified that the oath was taken by Christopher, Archbishop of Tuam, and was refused by William, Bishop of Meath, and Thomas, Bishop of Kildare, who affirmed their conscience to be let. Dated 4th February, 2 Eliz. at 10 a.m.

No other Irish bishops, save these two, are known to have been deprived. This is only negative evidence, but so far as it goes, it leads to the conclusion that the rest conformed; if not, even allowing for some of the bishops in out-of-the-way parts escaping detection, why were there not more deprived?

Curwin, Archbishop of Dublin, is known to have conformed; in fact, Sussex, in writing to Cecil, says of him that "None of his cote hath surlyest stood to the Crown either in England or Ireland," and in 1567, he was translated to Oxford. His conformity must have been genuine, as even if he could have escaped notice in Ireland, he hardly could have done so as near London as Oxford: neither, unless he were genuinely conforming would he have been likely to accept a See so much within the sight of the Government. Field of Leighlin is also known to have taken the oath of allegiance and subjection in 1559.[1]

It thus seems probable that with the two exceptions referred to the bishops who were in possession

[1] Hamilton, *Calendar of State Papers*, Vol. III, 32, 33.

nominally conformed and retained their Sees. The See of Armagh was vacant, as Dowdall had died shortly before Elizabeth's accession. The Queen appointed Adam Loftus as his successor, though there seems to have been some considerable delay about the process. In 1560 Alexander Craik, Dean of St. Patrick's, Dublin, was appointed to the See of Kildare, in place of Leverous, though he seems to have also retained his Deanery. He does not appear to have been happy in his work and experience, as in a letter of April 30th, 1561,[1] we find him writing to Lord Robert Duddeley, saying that he can neither preach to the people nor can the people understand him, and he desires to be discharged of his bishopric ; in another letter to Cecil of September 13th,[2] he again desires to be disburdened of his bishopric and that means may be used for abolishing idolatry and superstition. In the former of these letters he says that Duddeley's chaplain, Mr. Lofthouse (Loftus), who had lately come over (he was a native of Yorkshire) was his only help in setting forth God's Word, and in the latter letter he commends him to Cecil. It is clear from this, that Craik was in favour of the Reformation—and we may gather that likewise was Loftus—but that even in the diocese of Kildare, which adjoined that of Dublin and came within seventeen miles of the city, the Reformation met with but little favour. The statement that Loftus was his only help in setting forth God's Word, shows that the clergy of his diocese were not promoters of the Reformation. While his remarks may possibly only refer to his diocese of Kildare and to the Cathedral of St. Patrick's, Dublin, of which he was Dean, and not to the diocese of Dublin generally, for which he would

[1] *Ibid.*, Vol. III, 62. [2] *Ibid.*, Vol. IV, 53.

not be responsible, it is more probable that even in Dublin itself the state of things, from his standpoint, was no better. Both his letters, it may be observed, were written from Dublin. From his complaint as to idolatry and superstition we may gather that either the Prayer Book was not much used, or that it was used in conjunction with the old ceremonies, as Bishop Bale had complained was the case at Waterford in 1553; "altogether like a Popish Mass."

On October 30th, 1561, the Queen issued instructions[1] to Curwin, Archbishop of Dublin, for the consecration of Loftus to the Archbishopric of Armagh, and also for the restoration of the temporalties of the See. For some reason which is not clear, the process of the Act of the preceding year, concerning appointments to bishoprics, was not followed, but a writ of *congé d'elire* was issued to the Dean and Chapter of Armagh to elect Her Majesty's chaplain, Adam Loftus, Professor of Divinity, to be Archbishop. It seems strange that the Act so soon after being passed was not followed; moreover, Armagh was not a place where we should expect the Chapter to be particularly favourable to the Government. Former Archbishops, Cromer and Dowdall, had held out strongly for the old religion; the See had only had one Archbishop, Goodacre, who was a favourer of the Reformation and he had held the See less than six months. We should have expected disagreement here if anywhere. The explanation probably is that the provisions of the Act were not carried out until some years after it was passed. There is evidence to show that the system of election by chapters went on, in spite of the Statute, until about the year 1567.[2]

[1] Morrin, *Patent Rolls*, 4, Membrane II, 97, October 30th, 4°. See additional note, p. 219.

There is no record of opposition on the part of the Dean and Chapter of Armagh, but Loftus' preferment was much delayed. We find Craik in January 2nd,[1] 1562, strongly recommending him again to Cecil, occasioned by the stay of his preferment to Armagh. This suggests the question: Was there any opposition shown at Armagh? though it does not answer it. Possibly, the Queen and her officials were wondering whether they could not make better use of him. At the previous vacancy before the appointment of Goodacre, several selected Englishmen had been unwilling to go to Armagh, and Cranmer had expressed his doubts as to whether English was understood in that diocese. If Craik, Loftus' friend, found himself unable to preach at Kildare, Loftus may well have had fears of the same disability for himself at Armagh. The Lord Lieutenant had written to Cecil (November 29th, 1561)[2] about his appointment to Armagh, that "his learning was fit for a better place."

Possibly then his appointment was delayed while the Government considered whether he could be better used. He was, however, consecrated for the See of Armagh, on March 2nd, 1563, by Archbishop Curwin. Granting the possibility of the hypothesis just mentioned as to the delay, it may have been felt after all that it was necessary for the policy of the Government to have some one at Armagh really capable and trustworthy from their point of view, and such a person must also almost necessarily be an Englishman. Ware says that he resigned the same year. Whether this was so or not, he was appointed Archbishop of Dublin in 1567, when Curwin was translated to Oxford.

[1] Hamilton, *Calendar of State Papers*, Vol. V, 3.
[2] *Ibid.*, Vol. IV.

The See of Meath seems to have been left vacant until 1563. This is the more strange, as Kildare, which became vacant by deprivation about the same time, was soon filled by the appointment of Craik. It seems that the Queen had some thought of translating Craik to Meath. He himself writing to Cecil (January 10th, 1562)[1], said that he had heard this from the Lord Lieutenant, though he appears unwilling to take it as he complains that his health is bad, and that he is a foreigner who is received by favour, and seeks to go to England. He wrote several complaining letters to Cecil; one on February 5th[2] asking for a quiet living in England because of his health, and also for more preachers to be sent to Ireland; another February 18th,[3] saying he was too sick to preach much; another on October 26th,[4] asking to be disburdened of the bishopric of Kildare, as he cannot understand the Irish language. His requests for an English living were not granted, neither was he translated to Meath, and he remained Bishop of Kildare until his death in 1564. The See of Meath in 1563 was bestowed upon Hugh Brady, who was a native of the diocese. The *Loftus MS.* says he was chaplain to Archbishop Loftus. He could only have held this position for a very short time, as Loftus was not Archbishop until March of the same year in which Brady was consecrated. Sir Henry Sidney afterwards described him as an honest, zealous, and learned bishop, a goodly minister of the Gospel, a good servant of the Queen, who went from church to church himself.

There were some Sees, such as Ardagh, which were

[1] *Ibid.*, Vol. V, 7. [2] *Ibid.*, Vol. V, 17. [3] *Ibid.*, Vol. V, 34.
[4] *Ibid.*, Vol. VII.

vacant at the Queen's accession, and others which soon became so, which were left vacant for many years, some perhaps throughout the entire reign ; but allowing for such exceptions, with the appointments just related, as the bishops who were in possession of the other Sees presumably remained in them, the episcopal organization of Ireland became fairly complete, without any extensive practice of deprivation. If the conformity of some of the bishops was not genuine, as they died the Queen would have her opportunity of appointing successors who would carry out her wishes, though it seems that in many cases Sees were allowed to be left vacant, even several years. Perhaps this was owing to the difficulty of getting men favourable to the Reformation to accept Irish bishoprics, on account of the language and other difficulties.

Additional Note

The first appointment of Elizabeth to an Irish See was that of Craik to Kildare in 1560. Ball[1] says that both he and Brady, Bishop of Meath (1563), were appointed by patents. But Professor Lawlor[2] says there is evidence that the following were elected by chapters: Loftus of Armagh (1563) ; Brady of Meath (1563) ; Dale of Kildare (1563) ; McCawill of Down (1565) ; Devereux of Leighlin (1566) ; Gafney of Ossory (1566) ; and Kavanagh of Leighlin (1567). Craik is not mentioned amongst these ; but considering these later instances, and that he was earlier than any of them, it seems most probable that he was elected in the same way and that the Act (2 Eliz., chap. 4) did not come into full operation until some years after it was passed.

[1] Ball, *Reformed Church*, p. 73.
[2] Lawlor, *The Reformation and the Irish Episcopate*, pp. 20 f.

CHAPTER XIV

THE TWELVE ARTICLES OF THE CHURCH OF IRELAND

By the legislation of 1560, the legal settlement of religion in Ireland was made parallel to that of England, except for the minute differences already noticed in the corresponding Acts of both countries. There remained, however, one difference in the official formularies throughout the reign of Elizabeth and for thirty years afterwards. This was in the Articles of Religion which were subscribed by the clergy. In England the Articles eventually became thirty-nine in number, though this number was not finally adopted until 1571. There had been forty-two put forth in 1553, which had been revised and made thirty-eight in 1562, before reaching the number which have been since retained. The Church of Ireland did not adopt these Articles until 1634. We might have expected England to have imposed these in the same way as the other measures of ecclesiastical polity. Perhaps it was the difficulty and the small success of the Reformation in Ireland that led to this large number of Articles not being enforced. The Irish clergy, at this time, subscribed to Eleven Articles, which were copied from some framed by Parker and other English bishops, and which had been used in England before the Thirty-nine Articles were authorized. These Eleven Articles were therefore a following of England, only the pro-

cess of following did not keep pace with the latter country. So far as they went, these Articles agreed with the general doctrinal and other standards of the Church of England. They were published in Dublin in 1566, and remained the Articles of the Irish Church until new ones, to the extent of a hundred and four, were drawn up in the reign of James I, which in their turn were displaced by the Thirty-nine of the Church of England. Possibly some of the Irish bishops in closest touch, or in greatest sympathy with England, may have enforced, or tried to enforce, subscription to the Thirty-nine, much on the same principle as Archbishop Browne had years before tried to enforce the King's Supremacy, before it was enacted by law; but if so, it was not because of any legal obligation. The Book of the Articles set forth in 1566 shows that they had full legal authority. There is a copy of the edition in the library of Trinity College, Dublin, which is supposed to be the only one extant. Its title-page is as follows: "A breefe declaration of certein principall Articles of Religion, set out by order and aucthoritie, as well of the right Hon. Sir Henry Sidney, General Deputie of this realme of Ireland, as by the archbyshopes and byshopes and other Her Majestie's High Commissioners for Causes Ecclesiastical, in the same realme. Imprinted at Dublin by Humfrey Powell, the 20th of January 1566." (This would really be 1567.) There can be no doubt as to the legality of these Articles under the terms of the Act of Uniformity. A Court of High Commission had been appointed in 1563, and according to the above title the Articles had the authority of this Commission, as well as of the Lord-Deputy, and of the bishops.

The Eleven Articles dealt with—

1. The Doctrine of the Trinity.

2. Scripture as containing all things necessary to salvation and belief in the Nicene, Athanasian, and Apostles' Creeds.

3. The Church and its power of instituting and varying ceremonies.

4. Persons who may lawfully take office and ministry, ecclesiastical and secular.

5. The Queen's prerogative and superiority of government, ecclesiastical and temporal.

6. The Bishop of Rome's authority as being no more than that of other bishops.

7. Assent to the Prayer Book set forth by authority of Parliament.

8. Certain ceremonies formerly used at Baptism and now abolished as not pertaining to the substance of it.

9. Condemnation of private Masses and the propitiatory sacrifice of the Mass.

10. Communion should be administered in both kinds.

11. Extolling of images, relics, and feigned miracles disallowed, and obedience to God's law and works of faith exhorted to.

A twelfth Article expressed assent to the others. Hence they are really only eleven, though in form they are twelve.

These Articles were ordered to be read by parsons, vicars, and curates at the taking possession, or first entry, into their cures and twice yearly afterwards; namely, on the Sundays next after Easter and St. Michael's, on pain of sequestration, deprivation, or

other coercion. The Articles are printed in Elrington's *Works of Ussher*, Vol. I, Appendix III. As they are not very much known, they are here appended.

" On Articles

Forasmuch as it appertaineth to all Christian men, but especially to the Ministers and Pastors of the Church, being teachers and instructors of others, to be ready to give a reason of their faith when they shall be thereunto required: I for my part now appointed your Parson, Vicar, or Curate, having before my eyes the fear of God, and the testimony of my conscience, do acknowledge for myself, and require you to assent to the same.

The first Article

First that there is but one living and true God, of infinite power, wisdom, and goodness: the maker and preserver of all things, and that in unity of the Godhead there be three persons of one substance, of equal power and eternity, the Father, the Son, and the Holy Ghost.

The Second Article

I believe also whatsoever is contained in the holy canonical Scriptures, in the which Scriptures are contained all things necessary to salvation, by the which also all errors and heresies may sufficiently be reproved and convicted, and all doctrine and Articles necessary to salvation established. I do most firmly believe and confess all the Articles contained in the 3 Creeds—the Nicene Creed, Athanasian Creed, and one common Creed, called the Apostles Creed, for these do briefly contain the principal Articles of our faith, which are at large set forth in the Holy Scriptures.

(not numbered)

I acknowledge also the Church to be the Spouse of Christ wherein the word of God is truly taught, the Sacraments orderly ministered according to Christ's institution, and the authority of the keys duly used. And that every such particular Church hath authority to institute, to change, clean to put away ceremonies and other ecclesiastical Rites, as they be superfluous or be abused: and to constitute other, making more to solemness, to order or edification.

The Fourth Article

Moreover I confess that it is not lawful for any man to take upon him any office or ministry, either ecclesiastical or secular, but such only as are lawfully thereunto called by their high authorities according to the ordinances of this realm.

The Fifth Article

Furthermore I do acknowledge the Queen's Majesty's prerogative and superiority of government of all estates and in all causes, as well ecclesiastical as temporal, within this Realm, and other her dominions and countries to be agreeable to God's word, and of right to appertain to her highness, in such sort as in the late Act of Parliament is expressed: and since by her Majesty's injunctions declared and expounded.

The Sixth Article

Moreover touching the Bishop of Rome, I do acknowledge and confess, that by the Scriptures and word of God, he hath no more authority than other Bishops have in their Provinces and Dioceses: and

therefore the power which he now challengeth, that is, to be the Supreme head of the Universal Church of Christ, and so to be above all Emperors, Kings and Princes, is an usurped power, contrary to the Scriptures and words of God, and contrary to the example of the primitive Church: and therefore is for most just causes taken away and abolished within this realm.

The VII Article

Furthermore I do grant and confess, that the book of common prayer and administration of the Holy Sacraments set forth by the authority of Parliament, is agreeable to the Scriptures and that it is Catholic, Apostolic, and most for the advancing of God's glory and the edifying of God's people both for that it is in a tongue, that may be understood by the people, and also for the doctrine and form of ministration contained in the same.

The VIII Article

And although in the administration of Baptism, there is neither exorcism, oil, salt, spittle, or hallowing of the water now used: and for that they were of late years abused and esteemed necessary, where they pertain not to the substance and necessity of the sacrament full and perfectly ministered to all intents and purposes agreeable to the institution of our Saviour Christ.

The IX Article

Moreover I do not only acknowledge that private Masses were never used amongst the Fathers of the primitive Church, I mean public ministration and receiving of the Sacrament by the Priest alone without a just number of communicants, according to Christ's

saying Take ye and eat ye &c. but also that the doctrine which maintaineth the Mass to be a propitiatory sacrifice for the quick and the dead, and a mean to deliver souls out of Purgatory, is neither agreeable to Christ's ordinance nor grounded upon doctrine Apostolic, but contrarywise most ungodly and most injurious to the precious redemption of our Saviour Christ and his only sufficient sacrifice offered once for ever upon the altar of the Cross.

The X Article

I am of that mind also, that the holy Communion or Sacrament of the body and blood of Christ, for the due obedience of Christ's institution, and to express the virtue of the same, ought to be ministered unto the people under both kinds, and that it is avouched by certain fathers of the Church to be a plain sacrilege to rob them of the mystical cup, for whom Christ hath shed His most precious blood : seeing He Himself hath said, Drink ye all of this. Considering also that in the time of the ancient doctors of the Church, as Cyprian, Jerome, Augustine, Gelasius and others VI hundred years after Christ and more, both the parts of the Sacrament were ministered unto the people.

The XI Article

Last of all I do utterly disallow the extolling of images, relics, and feigned miracles, and also all kind of expressing God invisible in the form of an old man, or the Holy Ghost in the form of a dove, and all other vain worshipping of God, devised by man's fantasy, besides or contrary to the Scriptures : as wandering on pilgrimages, setting up of candles, praying upon beads, and such like superstition, which kind of works

have no promised reward in Scripture, but contrariwise threatenings and maledictions: so I do exhort all men to the obedience of God's law, and to the works of faith; as charity, mercy, pity, alms, devout and fervent prayer, with the affection of the heart, and not with the mouth only, godly abstinence and fasting, chastity, obedience to the rulers and superior powers, with such like works and godliness of life commanded by God in His word and which as St. Paul saith, hath promises both of this life, and of the life to come, and are works only acceptable in God's sight.

The XII Article

These things above rehearsed, though they be appointed by common order, yet do I without all compulsion, with freedom of mind and conscience from the bottom of my heart and upon most sure persuasion, acknowledge to be true and agreeable to God's word, and therefore I exhort you all, of whom I have cure, heartily and obediently to embrace and receive the same, that we all joining together in unity of spirit, faith and charity, may also at length be joined together in the Kingdom of God, through the merits and death of our Saviour Jesus Christ to whom with the Father and the Holy Ghost be all glory and empire now and for ever. Amen.

Imprinted at Dublin in Saint Nicholas St. by Humfrey Powell, Printer appointed for the realm of Ireland."

CHAPTER XV

CONCLUSION

We have now surveyed the course by which the legal ecclesiastical settlement in Ireland was brought into agreement with that of England. As a religious reformation of Ireland, it must be pronounced a complete failure. To this day the great majority of the Irish people belong to the Roman Church. It must be remembered that even of those who are to-day members of other religious bodies, many of them have sprung from colonists from England and Scotland, who went over to the country after the events which have been considered had taken place; therefore the proportion of those who in Elizabeth's time were inclined to accept the alterations in the religious settlement would be still less than it is now. Yet if we grant the principles of the English Reformation, it cannot be denied that the bishops of the present Church of Ireland have the same status as those of the Church of England. They are the successors of the ancient line of bishops in their own country, legally and canonically, as are their English brothers, though their consecrations may be traced to a different source. They do not descend, as do all modern English bishops, through Archbishop Parker of Canterbury. Indeed, even if it could be proved that Parker was never consecrated, and that English consecrations

and ordinations were consequently invalid, the Irish bishops and clergy might still have valid orders. There is no question as to the fact of the bishops having received some form of consecration. This is not the place to discuss the validity of the Anglican Ordinal, but both Irish and English bishops have been consecrated by the same form ; therefore if the latter have received the episcopal character, so have the former. Further, in Ireland, there was less displacement by deprivation under Elizabeth than was the case in England. In England only two of the bishops who held Sees at Elizabeth's accession remained in them ; all the rest were deprived. But in Ireland, so far as is known, only two were deprived and the rest remained in their Sees. Yet notwithstanding that there was less displacement of bishops in Ireland, the results in the two countries have been almost opposite to each other. In England the majority of the people have left the Roman communion ; in Ireland they have clung to it. By the legislation of Elizabeth in Ireland, as in England, everyone was bound to attend the reformed services under penalties. The question may arise, How then did the Irish evade this and how were they able to continue true to the Church of Rome ? It is not easy to trace out the details of what really happened, but it is not difficult to hazard a guess. The Pale in Elizabeth's time was very small and beyond it English law was not recognized. It was not until the end of her reign that the country, which had been nominally conquered by Henry II, was really subdued and brought under English rule. In the Pale probably attempts were made at enforcing the laws concerning the alterations in the religious settlement, and very likely a fair proportion eventually

accepted the changed state of things. But in other parts of the country, people would regard the laws of the Dublin Parliament with indifference and go on in much their old way. If the priests went on saying the Latin Mass, what would be the use of the Government depriving them, as long as no other priests could be put in their places ? Irish priests would not accept the Reformation ; English ones were unwilling to go to Ireland, because they could not speak Irish. If in some cases the priests were deprived, or the reformed religion by some means set up in the churches, or if the churches were allowed to remain without priests and fall into ruins, the friars may have stepped in and ministered to the people in such places and at such times as they could; and the difficulties which the people experienced in obtaining the ministrations, which they desired and to which they were accustomed, may well have served in the end to make them more devoted to their old religion than ever.

It must be confessed that, whatever may be the intrinsic merits of the Reformation, the presenting of it in Ireland was grossly mismanaged. Political considerations came before religion. Of course, after Henry VIII had abolished the Pope's authority in England, it was plainly necessary, as has been said before, to do the same in Ireland[1] ; but the religion of a people cannot be changed at the political needs of a monarch. There were causes at work in England which made it seem likely that the King's policy would there succeed. But such causes were not at work in Ireland. Some attempt should have been made to teach the principles of the Reformation to the Irish in their own language ; but not only was this not done,

[1] See pp. 48 ff.

it was actually discouraged, and services in Irish were explicitly forbidden by the Elizabethan Act of Uniformity, though it is said by some that Queen Elizabeth herself actually started to learn that language. To anglicize the Irish was considered more important than to win them in their own language to what the English considered a more enlightened religion. We cannot, therefore, be surprised, that on this ground alone, the Reformation in Ireland resulted in failure.

At the same time it must be admitted that it was not merely owing to this mistaken English policy that the Reformation failed. There are causes which go much further back. Ever since the so-called conquest of Ireland, there had been two sections in the Church and nation, namely, the English and the native elements. Previous to this time the Church of Ireland, largely owing to her remote situation, had had less to do with Rome than most churches of the West, and previous to the Synod of Cashel it seems that the Roman use had not been adopted in the country. But at this Synod, by English influence, the Roman use was adopted in Ireland, and the influence of the Popes afterwards was mostly on the side of the English. This very same Synod declared that as Ireland had received her Lord and King from England, she ought to submit to a reformation from the same source. As said before,[1] this principle would have covered the Reformation under the Tudors. But the facts turned out quite differently from what was hoped for as the result of that Synod. The Popes had mostly been on

[1] See p. 65. Giraldus gives the decree of Cashel as follows: "*Dignum enim et justissimum est, ut sicut dominum et regem ex Anglia sortita divinitus est Hibernia, sic etiam exinde vivendi formam accipiat meliorem.*"

the side of the English, but the Irish disliked their English "conquerors," and it excites no surprise that they did. Hence, when the English quarrelled with the Pope, there was less occasion for the Irish to oppose his cause than there had been when that cause was identified with England. Moreover, the English policy helped to throw the Irish more than before on the side of the Pope. As has been seen before,[1] in so far as the English policy resulted in depriving the Irish people of their native clergy, and in no others being appointed to succeed them, the people were thrown upon the ministrations of the friars, who were the most papal of all the clergy in the country, as they were exempt from all jurisdiction, except that of the Pope. Perhaps we may see Nemesis working on both sides. The Popes for about four centuries supported the English against the Irish, thinking rather more of the power of the Church of Rome, than of the real needs of Ireland, and this resulted in the power of England throwing off their authority and in a religious schism in Ireland. Though but comparatively few of the Irish people were lost to the Church of Rome, yet the setting up of a line of bishops, not owning the jurisdiction of the Pope, was from the Roman point of view a serious misfortune, to say the least, as it was a challenge to the claims of universal jurisdiction ; and there was also, of course, the loss of cathedrals and, at least, of some churches, as well as the destruction of the religious houses. And as for England, by political means and for political ends, she had tried to force a change of religion upon the Irish, without duly considering their spiritual needs and without taking adequate means for their spiritual and intellectual

[1] See pp. 119 f.

improvement, and she brought about the result that the Irish for the most part became more devoted to the Pope and to the Church of Rome than they had ever been before.

LIST OF AUTHORITIES USED

Bagwell, *Ireland under the Tudors.*

Ball, *Reformed Church of Ireland.*

Capes, *A History of the English Church in the Fourteenth and Fifteenth Centuries.*

Carew MSS. Calendar.

Creighton, *History of the Papacy,* Vol. I, The Great Schism.

Crosthwaite, *Book of Obits and Martyrology of Christ Church, Dublin* (1842).

Deputy Keeper's Reports (Irish Record Office).

Dixon, *History of the Church of England.*

Elrington, *Works of Ussher.*

Froude, *History of England,* Vol. II (Irish Chapter).

Gee, *Elizabethan Prayer Book and Ornaments.*

Giraldus Cambrensis, Vol. V (Roll's series).

Grace, *Annals of Ireland* (Irish Archæological Society, 1842).

Green, *Making of Ireland and its Undoing.*

Haddon and Stubbs, *Councils and Ecclesiastical Documents.*

Hamilton, *Calendar of State Papers.*

Hardiman, "Statute of Kilkenny," in *Tracts Relating to Ireland,* Vol. II (Irish Arch. Soc., 1842).

Harris, *Ware's Works,* 1739.

Hore, *History of the Church Catholic.*

Irish Statutes (Dublin, 1765).

King, *Primer of the Holy Catholic Church in Ireland.*

Lawlor, *The Reformation and the Irish Episcopate.*

Littledale, *Plain Reasons against joining the Church of Rome.*

Morrin, *Patent and Close Rolls in Chancery.*

O'Connor Morris, *Ireland.*

O'Donovan, *Annals of the Four Masters.*

Olden, *Church of Ireland.*
Perry, *Students' English Church History.*
Plummer, *Baedae Opera Historica.*
Procter and Frere, *New History of the Book of Common Prayer.*
Puller, *Primitive Saints and the See of Rome.*
Richey, *Short History of the Irish People.*
Robertson, *History of the Christian Church.*
S. Thomas Aquinas, *Summa Theologica* (Nutt, 1875).
Spanish State Papers.
Spenser, *View of the State of Ireland.*
Statutes at Large, Edward I to Charles II (English).
Stokes, *Ireland and the Celtic Church.*
Stokes, *Ireland and the Anglo-Norman Church.*
Strype, *Memorials of Cranmer* (Oxford, 1812).
Strype, *Life and Acts of Matthew Parker* (Oxford, 1821).
The Cambridge Modern History, Vols. II and III.
The Harleian Miscellany.
Ware, *Antiquities and History of Ireland,* 1705.

INDEX

Act against Proctors to be any member of Parliament (Irish), 72–4
Act against speaking against the Sacrament, etc. (English), 131–6
Act against the authority of the Bishop of Rome (Irish), 88–91
Act for appointment of Bishops, 1560 (Irish), 209–11
Act for discharge of First Fruits (Irish), 182
Act for restraint of Appeals (English), 42
Act for reviving statutes against heretics (Irish), 183
Act for the English order, habit and language (Irish), 93–4
Act for the suppression of abbeys (Irish), 112–13, 118
Act for the suppression of Kylmaynham, etc., 113–15, 118
Act for the Twentieth part (Irish), 91–3
Act of Appeals (Irish), 85–6
Act of First Fruits, 1537 (Irish), 86–8
Act of First Fruits, 1560 (Irish), 208–9
Act of Repeal, first (English), 174
Act of Repeal, second (English), 178
Act of Six Articles (English), 100–1
Act of Submission (English), 43–4
Act of Supremacy, 1559 (English), 189–92
Act of Supremacy, 1560 (Irish), 200–1
Act of Supreme Head (English), 31–2, 44, 190
Act of Supreme Head (Irish), 26, 81–4, 85, 121
Act of Uniformity, 1549 (English), 137–40
Act of Uniformity, 1552 (English), 170
Act of Uniformity, 1559 (English), 192
Act of Uniformity, 1560 (Irish), 201–7, 221
Act repealing statues against the See of Rome (Irish), 181–2
Act that the King of England, etc., be Kings of Ireland (Irish), 110
Aghadoe, titular Bishop of, at Council of Trent, 121–2
Alan, Archbishop of Dublin, 52, 54
Ambrose, St., 155–6
Andrew, William, Bishop of Meath, 21
Annals of the Four Masters, 52, 53, 62, 67–8, 115, 117, 121, 126
Ann Boleyn, 37, 51
Appropriations, 208
Ardagh chalice, 134
Ariosto, 29
Arthur, King, 109
Articles submitted to Convocation by Henry VIII and amended, 1531, 38–41
Articles XXXIX, 68, 69, 206, 220

Articles XII of Church of Ireland, 69, 221–7
Assembly of bishops and clergy under St. Leger, 143–8
Augustinian Order, 55
Ausculta Fili, 34
Aylmer, Justice, 53

Bale, Bishop of Ossory, 148, 159, 160–8, 169, 171–3, 187, 194, 216
Baron, Rowland, Archbishop of Cashel, 176
Basnett, Edward, Dean of St. Patrick's, Dublin, 92
Beads of Archbishop Browne, 101–5
Bede, Venerable, 78
Benedictines, 25
Bishops present at Elizabeth's first Irish Parliament, 196–8
Black Book (*liber niger*), of Christ Church, Dublin, 8, 177
Blessed Virgin Mary, 155–6
Book of Obits and Martyrology of Christ Church, Dublin, 47
Boyle, Richard, Earl of Cork, 184
Brabazon, Justice, 75
Brady, Bishop of Meath, 218–19
Brehon law, 9
Browne, Archbishop of Dublin, 50, 55–66, 67, 69, 75–9, 97–105, 116, 122, 124, 140–3, 145, 147–9, 157–67, 169, 173, 175, 195, 221
Bruce, Edward, 14
Bruce, Robert, 14
Bull, *Ausculta Fili*, 34
Bull of Adrian IV, 10, 64
Bull of Boniface VIII (*Unam Sanctam*), 34
Bull of Innocent VIII, 12
Bull of Leo X, 14
Burgomyn, King of Britayne, 107
Butler, Sir Peter, 51

Campion, 66
Capias excommunicatum, 23
Cashel, Synod of, 24, 25, 65, 153, 231
Catalogus Pontificum Romanorum, 78, 79
Catherine, Queen, 37, 45
Cecil, 159, 214, 217, 218
Celibacy of the clergy, 175
Celtic races, 28
Christ Church Cathedral, Dublin, 46, 59, 141, 148, 159, 177, 193, 195
Claims of the Pope, 33–5
Coles, Dean of St. Paul's, London, 183–5
Commission to Earl of Sussex concerning religion, 193
Commission to promote the King's supremacy in Ireland, 59–66
Commission to punish Protestants in Ireland, 183–5
Complaint of the princes of Ireland, 9–11
Congé d'elire, 176, 210, 216
Constance, Council of, 134
Constantine, 77
Constantius, 77
Convocation, 19, 45, 70–1, 201
Convocations of Canterbury and York, 38–41
Counties represented in Irish Parliament, 18, 198
Court of High Commission, 221
Craik, Bishop of Kildare, 215–19
Cranmer, Archbishop of Canterbury, 54, 60, 127–8, 158–9
Creagh, Richard, 124
Crofts, Sir James, 146, 149, 157, 168, 205
Cromer, Archbishop of Armagh, 63–5, 107, 122, 123, 216
Cromwell, 53, 55, 60, 75, 99, 104
Crumpe, Henry, 21
Curwin, Archbishop of Dublin, 176–8, 181, 194–5, 214, 216, 217

Dale, Bishop of Kildare, 219
Darius, 33
Davis, Sir John, 17, 18

de'Burgo, Bishop of Clonfort, 124
Defensorium Curatorum, 19, 20
De Hereticis Comburendis, 22
Democedes, 23
Deruvianus, 79
Desmond, Earl of, 29
Devereux, Bishop of Ferns, 123
Devereux, Bishop of Leighlin, 219
Device for the alteration of religion, 188–9
Deythyke, Mr., 96
Dominicans, 25
Donation of Constantine, 65
Dowdall, Archbishop of Armagh, 123, 144–7, 149–58, 175, 215, 216
Duddeley, Lord Robert, 215
Duff, Adam, 22

Eastern Churches, 135
Edmonds, John, 184
Edward the Confessor, laws of, 35, 77
Edward II, 14, 79
Edward III, 16
Edward VI, 126, 130, 169, 170, 172, 186, 187
Elizabeth, Queen, 18, 184, 186, 216, 217, 219, 231

Finglas, Patrick, 96
Fisher, Bishop of Rochester, 56
FitzGerald, Thomas (Silken Thomas), 51–3, 90
Fitz Ralph, Archbishop of Armagh, 19–21, 120
Fitz Walter, Earl of Sussex, 179–81, 185, 193, 196, 212, 214
Friars, 19–21, 119–20, 124, 232

Gafney, Bishop of Ossory, 219
Gallican Liturgy, 25
Galway, St. Nicholas Church, 12–13
Gardiner, 162, 174
Geoffrey of Monmouth, 79
Gerald, Earl of Kildare, 29
Geravan, Bishop of Clonmacnois, 124
Germanus, 79
Gildas, 78
Giraldus Cambrensis, 108, 231
Goodacre, Archbishop of Armagh, 159, 161, 169, 216
Gossipred, 11
Gray, Leonard, 53, 75

Henry II, 10, 64
Henry III, 23
Henry IV, 183
Henry V, 16, 183
Henry VI, 16, 26, 121
Henry VII, 15, 26, 29, 46
Henry VIII, 18, 29, 35, 37, 65, 91, 98–9, 109, 124, 145, 173, 176, 186, 187, 230
Herodotus, 33
Hosius, Bishop of Cordova, 77
Hosting, 92
Humphrey, Parson of St. Owen, Dublin, 105

Innismurray, 25
Instructions of Philip and Mary to Fitz Walter, 179–80

James I, 118, 221

Kavanagh, Bishop of Leighlin, 219
King's Title to Ireland, 107–8
Kyteler, Lady Alice, 21

Lancaster, Bishop of Kildare, 148, 162
Lanfranc, 57
Latin Races, 27, 28
Leigh, Monk, 195
Leland, 83, 165
Lessons in English in Church Service, 129
Letter of Queen Mary to Dean and Chapter of Christ Church, Dublin, 177
Leverous, Bishop of Kildare, 175, 199, 213–14
Liber Custumarum, 79
Liber Landavensis, 79
Litany in English, 129, 135, 163, 193–4

Livery, 89
Lockwood, Thomas, Dean of Christ Church, Dublin, 161, 163, 164
Loftus, Archbishop of Armagh, 215–19
Loftus MS., 212, 213, 218
Lollards, 19, 48
Lucius, 75, 77–9, 109

McCawill, Bishop of Down, 219
McMurrough, 108
Magennis, Bishop of Down, 124
Margaret, Queen of Scots, 25
Mary, Queen of England, 158, 169, 171–81, 184, 186
Mass, the Roman, 152–5
Miagh, Bishop of Kildare, 123
Molaise, St., 25
Monasteries, Celtic, 25

Nennius, 78, 79

O'Byrne, Fergananym Rowe, 106
O'Cervellan, Bishop of Clogher, 124
O'Conor, 106, 126
O'Donnell, Archbishop of Tuam, 208
Oglethorpe, Bishop of Carlisle, 194
O'Hefferman, Bishop of Emly, 123
O'More, 126
O'Neal, 66
O'Neyl, Donald, 9
Order of the Communion, 136–7
Ordinal of 1550, 160, 167
Ordinal of 1552, 163, 167
Orlando Furioso, 29
O'Shiel, Bishop of Elphin, 123
O'Toole, Lawrence, 24
Ousterlemain, 89
Outlaw, William, 21

Pale, 7, 26, 96, 124, 168, 229
Pall, 56, 211
Palladius, 79
Papiro, John, 57
Parker, Archbishop of Canterbury, 56, 194, 220, 228
Parliament, English, 8, 31
Parliament, Irish, 8, 9, 12, 15–19, 48, 61, 69–83, 96, 97, 169, 174, 181–3, 186, 196–212, 230
Patrick, Bishop of Dublin, 57
Pelles, Mr., 59, 61
Pensions to monks, 113–15
Pepin the Short, 25
Persecution for heresy, 21–3
Peter, St., 10
Petronilla, 21
Phaganus, 79
Philip of Spain, 178
Pilgrims, 46
Pole, Reginald, 91, 173, 178, 180, 181, 183, 186, 187
Pope—
  Adrian IV, 10, 64, 65
  Boniface VIII, 34
  Celestine I, 155
  Clement VII, 122
  Eleutherius, 75, 77–9, 109
  Eugenius III, 57
  Innocent VI, 20
  Innocent VIII, 12, 13
  John XXII, 9, 13
  Leo X, 14
  Silvester I, 65
Poynings' Act, 15
Poynings, Sir Edward, 15
Prayer Book, 1st of Edward VI, 137, 141, 142, 148, 150, 160, 161, 163
Prayer Book, 2nd of Edward VI, 150, 160, 163, 167, 168, 170
Prayer Book in Irish, 208
Prayer Book, Latin, allowed in Ireland, 205–8
Prayer Book, Latin, of Aless, 207
Prayer Book, Latin, of Walter Haddon, 207–8
Primacy transferred from Armagh to Dublin, 157
  Retransferred to Dublin, 175
Proctors, 19, 70–3

Quadra, Spanish Ambassador, 195, 199, 212

Quantum per Christi legem licet, 39, 44

Reformation, 27–9
Relics, 47–8
Renaissance, 27–9
Richard II, 108, 183
Roode, 92

St. Leger, Anthony, Deputy, 141–9
St. Leger, Robert, 187
St. Leger, Wareham, 187
St. Patrick's Cathedral, Dublin, 14, 24, 92, 100, 215
Sawtry, William, 22
Shaxton, Bishop of Salisbury, 56
Sidney, Sir Henry, 218, 221
Simnel, Lambert, 15
Skeffington, William, 53
Somerset, Duke of, 130
Spanish Ambassador. *See* Quadra
Spenser, 63
Staples, Bishop of Meath, 122, 137, 141, 145, 146, 148, 153–7, 162, 175, 186–7
Statute of Kilkenny, 11–12
Statute of *Præmunire*, 36–7
Statute of Provisors (1351), 36
Supreme Governor of the Church of England, 191–2
Sussex, Earl of. *See* Fitz-Walter.

Teutonic races, 27, 28
Thorney, Bishop of Ossory, 176
Transubstantiation, 21, 143
Travers, Bishop of Leighlin, 148
Trent, Council of, 121–2, 123
Tunstall, Bishop of Durham, 41

Unam Sanctam, 34
Uniates, 144
Use of Bangor, 23, 138
,, Exeter, 23
,, Lincoln, 138
,, Sarum, 23–5, 138, 154
,, York, 23, 138, 154
Ussher, Henry, 184
Ussher, James, 184

Vocacyon of John Bale, 161–8, 171, 194

Wall, Bishop of Clonmacnois, 26
Walsh, Bishop of Meath, 175, 199, 212, 213, 214
Warbeck, Perkin, 15
Ware's *Life of Browne*, 51, 55, 60, 75, 184
Waucop, rival Archbishop of Armagh, 123, 146, 175
Wellesley, Bishop of Kildare, 122
Welsh Triads, 79
White Book of Christ Church, Dublin, 46
William of Malmesbury, 79
Wogan, Sir John, 8
Wolsey, Cardinal, 37
Wycliffe, John, 19

PRINTED BY WILLIAM BRENDON AND SON, LTD.
PLYMOUTH, ENGLAND

DEINIOL'S LIBRARY,
HAWARDEN.